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Ontario

# ENVIRONMENTAL ASSESSMENT BOARD

VOLUME: 346

DATE: Tuesday, January 28, 1992

BEFORE:

A. KOVEN Chairman

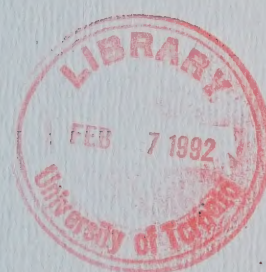
E. MARTEL Member

FOR HEARING UPDATES CALL (COLLECT CALLS ACCEPTED) (416)963-1249

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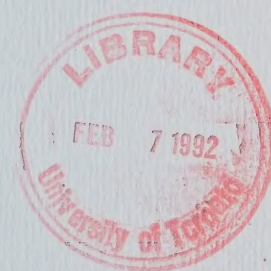
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HEARING ON THE PROPOSAL BY THE MINISTRY OF NATURAL  
RESOURCES FOR A CLASS ENVIRONMENTAL ASSESSMENT FOR  
TIMBER MANAGEMENT ON CROWN LANDS IN ONTARIO

IN THE MATTER of the Environmental  
Assessment Act, R.S.O. 1980, c.140;

- and -

IN THE MATTER of the Class Environmental  
Assessment for Timber Management on Crown  
Lands in Ontario;

- and -

IN THE MATTER of a Notice by The Honourable  
Jim Bradley, Minister of the Environment,  
requiring the Environmental Assessment  
Board to hold a hearing with respect to a  
Class Environmental Assessment (No.  
NR-AA-30) of an undertaking by the Ministry  
of Natural Resources for the activity of  
Timber Management on Crown Lands in  
Ontario.

-----  
Hearing held at the offices of the Ontario  
Highway Transport Board, Britannica Building,  
151 Bloor Street West, 10th Floor, Toronto,  
Ontario, on Tuesday, January 28th, 1992,  
commencing at 9:00 a.m.

-----  
VOLUME 346

BEFORE:

MRS. ANNE KOVEN  
MR. ELIE MARTEL

Chairman  
Member







A P P E A R A N C E S

MR. V. FREIDIN, Q.C.	)	MINISTRY OF NATURAL
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MS. K. MURPHY	)	
MR. B. CAMPBELL	)	
MS. J. SEABORN	)	MINISTRY OF ENVIRONMENT
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MR. R. TUER, Q.C.	)	ONTARIO FOREST INDUSTRY
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DR. T. QUINNEY	)	OF ANGLERS & HUNTERS
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MR. C. BRUNETTA	NORTHWESTERN ONTARIO TOURISM ASSOCIATION





I N D E X   O F   P R O C E E D I N G S

<u>Witness:</u>	<u>Page No.</u>
<u>DAVE NEAVE,</u> <u>TERRY QUINNEY</u> , Resumed.	60280
Continued Direct Examination by Mr. O'Leary	60280
Cross-Examination by Mr. Baeder	60395
Cross-Examination by Mr. Lindgren	60409
Cross-Examination by Mr. Freidin	60437
 SCOPING SESSION (OFAH/NOTO Panel 6)	 60469-60487





I N D E X   O F   E X H I B I T S

<u>Exhibit No.</u>	<u>Description</u>	<u>Page No.</u>
2066	19-page document dated November 19, 1990 updating effectiveness monitoring program and committee structure for projects on aquatic effectiveness, tourism effects and draft document dated November 13, 1990 titled: Conceptual Outline of Research Activities to Assess and Monitor Effectiveness of Timber Management Guidelines for the Protection of Fish Habitat.	60342
2067	Report entitled: A Program of Technology Development for Wildlife Habitat Management in Northern Region Forests authored by Robert Watt, Wildlife Habitat, Northern Forest Development Group, Timmins.	60350
2068	81-page report entitled: Habitat Supply Analysis and Modelling, State of the Art and Feasibility of Implementation in Ontario, prepared for MNR Wildlife Branch published June 14, 1991.	60355
2069	Three-page document entitled: Design of Model Forest Proposal Review Process, subheading is Background, consisting of three pages.	60381





INDEX OF EXHIBITS (Cont'd)

<u>Exhibit No.</u>	<u>Description</u>	<u>Page No.</u>
2070	Document entitled: Government of Canada News Release, Canada's Green Plan dated September 25th, 1991, followed by 18-page document entitled: Model Forests Background and Information Guidelines for Applicants dated September, 1991.	60381/82
2071	Document entitled: Energy and Natural Resources, The Fish and Wildlife Division, Alberta Trapper Compensation Program, May, 1985.	60388
2072	One-page article titled: Clearcutting by David J. Neave, published in Forestry on the Hill by the Canadian Forestry Association.	60414



1 ---Upon commencing at 9:00 a.m.

2 MADAM CHAIR: Good morning. Please be  
3 seated.

4 MR. O'LEARY: Good morning, Madam Chair.

5 MADAM CHAIR: Good morning, Mr. O'Leary.

6 DAVE NEAVE,  
7 TERRY QUINNEY, Resumed

8 CONTINUED DIRECT EXAMINATION BY MR. O'LEARY:

9 Q. Dr. Quinney, turning to you first, I  
10 note where we left off yesterday and I ask you to turn  
11 to your response to Question 45 in the witness  
12 statement, Exhibit 2059A at page 23 and you state in  
13 the last paragraph on the page, in the middle:

14 "The lack of a clear basis to predict the  
15 results of timber management activities  
16 on key non-timber values like wildlife  
17 habitat is a frequent point of conflict."

18 Can you tell me, Dr. Quinney, on what  
19 basis do you make this statement?

20 DR. QUINNEY: A. Yes. And in this  
21 paragraph I'm referring to the problems that arise when  
22 information is kept implicit as opposed to explicit.

23 And the basis upon which I make that  
24 statement is twofold. Commonly in my position I will  
25 receive calls from individual OFAH members that have



1 questions related to timber management, wildlife  
2 management, and they will have difficulty understanding  
3 what has been told to them by the Ministry of Natural  
4 Resources.

5 On a provincial level our organization  
6 experiences the same difficulties at times, and what  
7 I'm getting at here is that much of these problems  
8 would, in fact, evaporate if there was a clear  
9 statement of objectives and explicit analyses. That  
10 would allow people like myself and my staff to actually  
11 look at those explicit analyses, look at the explicit  
12 cause/effect relationships.

13 An example on a local basis would be if  
14 the Hearst area was using an HSA model tailored to the  
15 district, then my staff and I could actually examine  
16 explicitly what was going on, and I'm convinced that  
17 would alleviate some of the problems.

18 Q. Dr. Quinney, turning the page to page  
19 24 you state, toward the end of the first paragraph,  
20 that:

21 "The reliability of forecasts will depend  
22 on the quality of the supporting  
23 knowledge and data, but this is equally  
24 true for an approach based on  
25 professional judgment."

1                   And you make that statement in comparison  
2                   to the adaptive management approach, and my question is  
3                   simply: What is the basis for this statement?

4                   A. Yes. Perhaps actually in this case  
5                   it would be helpful if I showed the Board a quote from  
6                   one of Dr. Baskerville's papers, and that would be  
7                   Exhibit 979, and on page 13 of Dr. Baskerville's paper  
8                   entitled: Some Scientific Issues in Cumulative  
9                   Environmental Impact Assessment, he makes the  
10                  statement:

11                  "However, when the system relationships  
12                  are left unstated; that is, when they are  
13                  implicit, bridging from the toy problem  
14                  to the real problem is a rocky road  
15                  indeed."

16                  He goes on to say:

17                  "Argument is non-productive largely  
18                  because there is no focus and there is a  
19                  rather blind attempt to discover what the  
20                  implied relationships really are."

21                  And let me give you a concrete example of  
22                  this with the moose guidelines, the existing moose  
23                  guidelines.

24                  MR. O'LEARY: I believe they're marked  
25                  as Exhibit 310, Madam Chair.

1 DR. QUINNEY: On page (i), the second  
2 paragraph under boreal forest region, we have the  
3 statement:

4 "Clearcut blocks in 80-130 hectare and  
5 leave buffer zones between cuts and  
6 scattered patches of trees within  
7 cut-overs. Average cut size is optimal  
8 at about 100 hectares."

9 Now, in order then to carry this out in a  
10 way that is going to be beneficial for the moose, we  
11 have got to look at both a spacial component and a  
12 temporal component.

13 The spacial component would consist of  
14 the range that the animals are using, the range that  
15 could be affected and, of course, that can be a very  
16 large area; and the temporal component, five years, 10  
17 years, even into the length of an entire rotation. So  
18 how will, for example, that range, that habitat change  
19 over an entire rotation.

20 The biologist in carrying out this  
21 prescription also, in addition to taking in this  
22 spacial component, this temporal component, must take  
23 into account natural forces such as the probability of  
24 wild rice fire at some point, weather conditions.  
25 There are going to be other factors affecting the moose



1 population like, for example, human hunting pressure.  
2 The biologist has to take into account the DLUG  
3 direction that may have been provided with reference to  
4 some kind of overall target for that entire district,  
5 in other words, the allocation question.

6 So my point here is that all of this is  
7 being done mentally by the biologist, very, very  
8 difficult.

9 We're simply asking that this be made  
10 explicit through, for, example tools like habitat  
11 supply analysis.

12 MR. MARTEL: What will differ then,  
13 though, the outcome? How does the outcome differ? I  
14 mean, what have we got to stack it up against for a  
15 comparison of what we started with here and what we  
16 ended up with there? Will there be a difference in the  
17 output of moose?

18 DR. QUINNEY: There may not be, there may  
19 not be, but we will have -- we will have, in my  
20 opinion, better confidence in terms of the predictions  
21 because when, for example, those objectives and those  
22 cause/effect relationships are laid out explicitly on  
23 paper they can be examined, they can be tested and  
24 refined. Much, much harder to do that when the  
25 knowledge is kept subjective.

1 MR. O'LEARY: Q. Mr. Quinney, do you  
2 have an opinion as to the difficulty that an  
3 independent party would have in evaluating information  
4 that is amassed and put together in the process that  
5 you just described which is subjective in nature?

6 DR. QUINNEY: A. Yes.

7 Q. Perhaps give some personal examples  
8 from the OFAH.

9 A. Yes. From my own office, it's very  
10 difficult then when I get, for example, a question from  
11 an individual member, OFAH member or a staff member to  
12 say whether in fact what is being carried out at ground  
13 level is good, is achieving the objectives et cetera,  
14 et cetera, it's very difficult for me to do that.

15 Q. Dr. Quinney, moving on now to the  
16 area of cumulative impacts which starts at page 31 of  
17 the witness statement, and looking at your response to  
18 Question 61 you make reference to the term cumulative  
19 impact, and I was wondering if you can advise the Board  
20 what your understanding of this term is and its  
21 importance.

22 A. Yes. There's a particularly good  
23 section in the Ontario Wildlife Strategy that we  
24 referred to yesterday, and I would direct your  
25 attention to pages 54 and 55.

1 Q. That's Exhibit 2065; I believe

2 A. Yes.

3 MR. FREIDIN: What page again?

4 DR. QUINNEY: Page 54 and 55. And let me  
5 read you a definition from that document:

6 "Cumulative change results from  
7 successive, often small, impacts or  
8 actions on the environment where natural  
9 processes cannot dissipate these  
10 impacts."

11 So there's a good working definition of  
12 cumulative impacts.

13 MR. O'LEARY: Q. All right. Can you  
14 tell me: Do you have an opinion as to how many types  
15 of cumulative impacts there are?

16 DR. QUINNEY: A. Yes. Perhaps just  
17 before I do, while we're on that page, I think it is  
18 noteworthy that the wildlife working group has  
19 recommended a strategy with reference to cumulative  
20 impacts. Strategy No. 14 in fact states that:

21 "Include the detection of cumulative  
22 impacts in monitoring programs and  
23 require assessment of potential  
24 cumulative effects in planning and  
25 approval procedures."



1                   Yes, there are different types and more  
2                   than one kind of cumulative impacts. For example, in a  
3                   previous Coalition panel I believe Dr. Carr referred to  
4                   cumulative impacts regarding site degradation. So  
5                   there's an example of a type of cumulative impact, site  
6                   degradation, forest productivity.

7                   Another example of a type of cumulative  
8                   impact could be a watershed, a level of cumulative  
9                   impacts; in other words, for example, erosion and  
10                  sedimentation.

11                  And a third type of cumulative impact  
12                  would be the cumulative impacts on forest structure;  
13                  that is, on forest the landscape.

14                  Q. Thank you. Now, moving on to  
15                  Question 62 you state right at the beginning:

16                  "By long term I mean that the analysis of  
17                  timber management activities must include  
18                  at least one rotation of the forest."

19                  Now, using as an example the herbicide  
20                  spraying that you've referred to in the question above  
21                  that, I was wondering if you could tell us how long  
22                  dead vegetation created by herbicides and residual  
23                  chemicals persists?

24                  A. Well, the dead vegetation itself and  
25                  residual chemicals don't last very long at all, but the

1 effects of that application do, and that's the point to  
2 stress, that the effects of that application are going  
3 to be changing patterns of forest succession and,  
4 therefore, those effects will last a full rotation.

5 MR. MARTEL: Could I ask you a question?  
6 Going back to some of the other witnesses we've had  
7 with respect to a spraying of herbicide -- yes,  
8 herbicide - my understanding from the evidence so far  
9 pretty well has been that while it knocks material back  
10 for one year just to allow the seedlings or whatever  
11 you have planted to take hold securely, that the  
12 effects are not long term.

13 I can't recall evidence - and I guess it  
14 was brought in by Dr. McCormack, I guess I'm thinking  
15 about in particular, evidence indicated that - and I  
16 might be wrong, but I'm just going by memory - that  
17 outside of that short-term change to give the seedlings  
18 an opportunity to take off, there were no real change  
19 in the succession in that area.

20 DR. QUINNEY: Okay. Could we follow that  
21 through time a little bit.

22 MR. MARTEL: Yes.

23 DR. QUINNEY: In the sense that what is  
24 being done then is to give those seedlings, in other  
25 words, specific species an advantage, a competitive

1 advantage on that site that they wouldn't have without  
2 the application of that spray; in other words, there  
3 would be species competing for that space, specie --  
4 different species competing for that space.

5 And my point is that if you remove those  
6 competing species and, hypothetically speaking, you  
7 just allow, for example, one species, the target wood  
8 supply species to remain on that site, then over time  
9 the other species that would have been there are not  
10 going to be there.

11 MR. MARTEL: Yes. But, again, my  
12 understanding is that while you knock it back the other  
13 species will come back, the hardwoods, because most of  
14 them are -- the suckers are underground and they'll  
15 come back, it just slows them down.

16 I mean, I'm not sure if you're suggesting  
17 that it alters it totally, because I don't know even in  
18 jack pine, for example, where there aren't some --  
19 there isn't some hardwood, there isn't some birch or  
20 there isn't some poplar.

21 I'm not sure where we're getting pure  
22 species on one shot from something.

23 DR. QUINNEY: Yes. In the example you've  
24 given there will be some. I guess what I would say is,  
25 what would have been the situation, okay, at time T



1 plus 10 years, T plus 50 years if those interventions  
2 had not occurred, would they have been the same. And  
3 I'm saying, no, they wouldn't have.

4 MADAM CHAIR: So you're saying, Dr.  
5 Quinney, that in fact the tending activities are less  
6 important than the fact that it was logged in the first  
7 place and perhaps some form of artificial regeneration  
8 was done?

9 DR. QUINNEY: Perhaps I haven't been as  
10 clear as I could have been, but I'm trying to stress  
11 that the patterns of what would have been natural  
12 succession can be influenced by these interventions in  
13 a cumulative way.

14 MR. MARTEL: Yes. I guess what I'm trying  
15 to get at is, while you knock the competition back for  
16 a year, 10 years down the road you would have allowed  
17 the jack pine to take off or, let's say, the black  
18 spruce to take off, but the other species will still be  
19 there because it's not a treatment that, as I  
20 understand, that eliminates--

21 DR. QUINNEY: Okay.

22 MR. MARTEL: --the other competition.

23 DR. QUINNEY: Okay. But not in exactly  
24 the same amounts and mixture that would have occurred.  
25 For example, same age-classes.

1 MR. MARTEL: I guess the question is what  
2 you want out there.

3 DR. QUINNEY: Agreed.

4 MR. MARTEL: I mean, do you want fiber  
5 close to the mill or do you want...

6 DR. QUINNEY: Agreed.

7 MR. O'LEARY: Q. Dr. Quinney, I was  
8 wondering just at this point if you went back to the  
9 illustrations you referred to yesterday and used the  
10 example of one of the options being what Mr. Martel has  
11 indicated might be having wood supply close to the  
12 mill, where would that fall into the illustrations?

13 DR. QUINNEY: A. Well, from the  
14 illustrations yesterday, in the second illustration I  
15 think what you're referring to is, for example, the  
16 option chosen would have been a wood supply close to  
17 the mill option, okay, and then the attendant benefits  
18 that go along with that forest structure become the  
19 objectives for the plan.

20 And that would then -- in the lower  
21 righthand corner of the second illustration under  
22 selected option, you will see an objective for wood, an  
23 objective for tourism, et cetera, et cetera, et cetera.

24 Q. Thank you. But just following  
25 through from the beginning using illustration No. 1, I

1 was wondering if you could just briefly indicate how  
2 you would arrive at that option, starting with the  
3 basic public priority and indicate at what stages along  
4 the way there would be any sort of public consultation,  
5 if any. Just as an example use that one.

6 A. As an example using the...

7 Q. Wood supply close to the mill.

8 A. Wood supply close to the mill. Okay.

9 Has been identified, okay, by --

10 Q. How has it been identified?

11 A. Well, the local citizens committee of  
12 course is in touch with local priorities, local  
13 community priorities, they communicate that knowledge  
14 to the technical planning team and then it's the  
15 responsibility of the technical planning team to  
16 generate various options based on that priority, and  
17 those options then, of course, are resulting in  
18 alternate forest structures.

19 Q. And before one of those options is  
20 actually confirmed and included in a timber management  
21 plan, is there another stage where there is some public  
22 consultation?

23 A. Yes, a good point. In fact, when  
24 those forecasted alternative forest structures have  
25 been generated, of course, there are attendant forest

1 production possibilities, benefits, and they will be  
2 examined by the public and the public will determine,  
3 as I mentioned yesterday: Gentlemen, can you come up  
4 with some kind of intermediate option, a new option for  
5 us to look at. We're not completely satisfied that the  
6 amount that you said close to the mill is going to  
7 satisfy us. Can you come up with something different.

8 Q. All right. And at this public  
9 consultation stage, what is the nature of the data or  
10 the materials that the public would be looking at. Can  
11 you describe it generally?

12 A. Yes. That's on the third -- the  
13 third illustration from yesterday titled: Detailed  
14 Layout of Forest Structure Analysis for Each Time Step  
15 of the Planning Horizon.

16 What the public would be looking at would  
17 be, for example, under the box marked in pink expected,  
18 and you see the resource products listed in  
19 quantitative terms and the costs associated with  
20 delivering those benefits.

21 Q. All right. Thank you, Dr. Quinney.  
22 Now, turning to Question 62 of the witness statement  
23 you indicate that:

24 "The cumulative implications of proposed  
25 activities in the short and long terms



1 must be examined."

2 My question is: How can this be achieved  
3 from a practical perspective?

4 A. Well, from a practical perspective  
5 we're already doing it in this province for wood supply  
6 analyses. And what we're requesting is that this needs  
7 to be done also for other environmental values such as  
8 wildlife habitat using tools like habitat supply  
9 analysis.

10 MADAM CHAIR: Excuse me, we're lost.  
11 Which page are you on, Dr. Quinney?

12 DR. QUINNEY: Page 31 of my witness  
13 statement.

14 MR. O'LEARY: Yes, Question 62, Madam  
15 Chair.

16 DR. QUINNEY: Down at the very bottom.

17 MR. O'LEARY: Where he says -- the very  
18 last sentence.

19 MR. O'LEARY: All right, sorry. I  
20 thought you were still reading it.

21 Q. Proceed with your response. Do you  
22 want me to repeat the question?

23 I simply want to know, in reference to  
24 the cumulative implications of proposed activities in  
25 short and long terms that you say must be examined the

1 question is: How can these be achieved practically  
2 speaking?

3 DR. QUINNEY: A. Yes. And my response  
4 is that, in fact, in this province we're already doing  
5 this practically with reference to wood supply factors  
6 and that what's required, is the same types of things  
7 be done with reference to other environmental values  
8 like wildlife habitat, like cumulative watershed  
9 impacts.

10 Q. All right. You have now made mention  
11 of the fact that there already is a long-term  
12 consideration of wood supply.

13 During the scoping session for this panel  
14 the Board asked us to ask that a question, or put a  
15 question to us about how adaptive management could be  
16 applied from a practical perspective over the long  
17 term. I'm wondering if you have a view as to that, Dr.  
18 Quinney?

19 A. Yes. And again, adaptive management  
20 can be applied to a wood supply, it can be applied to a  
21 habitat supply, and even though the long-term planning  
22 horizon may be a rotation, may be a hundred years, the  
23 planning cycle we have in this province is five years,  
24 so every five years there is an iteration, there is a  
25 loop.

1 Q. Moving on to Question 63 on page 32  
2 of the witness statement you indicate that:

3 "Adaptive management involves a change in  
4 mindset of forest managers."

5 Can I ask you what you mean by a change  
6 in mindset, Dr. Quinney?

7 A. Yes. I believe I've gone into that  
8 into detail in answering interrogatories. For example,  
9 FFT Interrogatory No. 28 on page 17, yes, and also I  
10 address -- in addition to addressing it in the FFT  
11 interrogatory, I also address it in the OFIA, Forest  
12 Industry Interrogatory No. 1 on page 48.

13 Q. Thank you, Dr. Quinney. The second  
14 last sentence of the first paragraph of your response  
15 to Question 63, in it you state:

16 "Unfortunately, planning for non-timber  
17 values is not conducted in an equally  
18 comprehensive fashion."

19 And you're referring to the fact that the  
20 basis -- that statement is made after you say the basis  
21 for wood supply analysis currently used in timber  
22 management planning, to a large extent, fulfills the  
23 criteria that you set out earlier.

24 You have used the word unfortunately, and  
25 I was wondering if you would like to elaborate on that?

1                   A. Yes. I say unfortunately because,  
2                   after all, you can't separate the trees that are being  
3                   used for wood supply from the trees that are used to  
4                   supply habitat, therefore, you can't separate the  
5                   planning processes.

6                   Again, timber management activities are  
7                   affecting the forest structure and that forest  
8                   structure is wildlife, wildlife habitat. So my point,  
9                   you can't separate wildlife habitat planning from  
10                  timber management planning.

11                  I would also mention there that it's  
12                  important that you have what I will call the same level  
13                  or degree of analyses for both timber and non-timber  
14                  values such as wildlife because, if you don't, one of  
15                  them is always going to appear short shrifted,  
16                  disadvantaged.

17                  Q. Mr. Neave, could I put the same  
18                  question to you and perhaps ask: Do you have any  
19                  personal experiences you would like raise in relation  
20                  to what Dr. Quinney said in response to Question 63?

21                  MR. NEAVE: A. I certainly agree with  
22                  Dr. Quinney that it's not unreasonable to conduct the  
23                  planning for non-timber values in a way equal to timber  
24                  values, and perhaps I could elaborate further, but I  
25                  support Dr. Quinney.



1 Q. All right. Dr. Quinney, you also  
2 state that:

3 "As a result, non-timber values are not  
4 given the same attention as long-term  
5 impacts on wood supply."

6 And that's the very next sentence  
7 following the one I just referred you to in my last  
8 question. Can you tell us what information or evidence  
9 you have to support that statement?

10 DR. QUINNEY: A. Yes. If you were to  
11 look at any current timber management plan you would  
12 actually see alternate wood supply scenarios that had  
13 been conducted with the use of tools such as FORMAN or  
14 OWOSFOP, but you're not going to see those types of  
15 alternatives for things like wildlife habitat.

16 Q. All right. Going to the first  
17 paragraph in your response to Question 64 - we're still  
18 on page 32 - and looking at the first sentence, Dr.  
19 Quinney, you state that:

20 "The principles of adaptive management  
21 are applicable to any human endeavour but  
22 are particularly valuable in situations  
23 where...", and you list three situations.

24 The first is: There are high levels of  
25 uncertainty; the second is where there's a great deal

1 of variation from site to site and, finally, you say,  
2 long time intervals between actions and impacts.

3 Taking those one at a time, perhaps you  
4 could give us a little more information as to what  
5 you're saying in your response to this question?

6 A. Yes. Why adaptive management has  
7 such value in these examples. Well, take the example  
8 of, for example, high uncertainty, high uncertainty,  
9 examples of high uncertainty.

10 An analogy might be if we find ourselves  
11 in a new and completely dark room where we don't know  
12 anything. My point here is, in situations of high  
13 uncertainty you want to be able to learn with every  
14 step that you take and the adaptive management  
15 methodology enables you to do just that.

16 Q. All right. Why is it particularly  
17 valuable in the situation of variation from site to  
18 site?

19 A. Well, by definition, when there's a  
20 great deal of variation from site to site, essentially  
21 what we're talking about then is that each site is  
22 unique and in cases like that, of course, then the  
23 adaptive management methodology, treating management  
24 decisions as experiments is particularly valuable.

25 Q. And in respect of the last situation,

1 long time intervals between actions and impacts?

2 A. Well, yes. Rather than, or as  
3 opposed to, you know, waiting until the end when all  
4 the results are in, so to speak, again, by applying  
5 this methodology you are learning as you go.

6 Q. Thank you. In the last paragraph of  
7 your response to Question 64, you state that:

8 "Cumulative impact assessment is a good  
9 example of the real world research that  
10 Dr. Baskerville describes in his paper on  
11 cumulative impact assessment research in  
12 Exhibit 979."

13 Can you identify those specific sections  
14 of Dr. Baskerville's paper that you were referring to?

15 A. Yes. I'm referring to page 11, and  
16 if I may just read a couple of short quotes.

17 "That real problems are those that exist  
18 in their real world context and their  
19 principal characteristics are large size,  
20 high spacial and temporal variability,  
21 and general uncontrollability with  
22 reference to experimentation.

23 Toy problems, on the other hand  
24 here, are the caricatures or models that  
25 we make of part or all the real problem."

1 I would finish here by emphasizing that  
2 Dr. Baskerville states that both real research on toy  
3 problems is absolutely essential and that toy research  
4 on real problems is also absolutely essential.

5 MADAM CHAIR: Yes. We heard Dr.  
6 Baskerville's evidence in February of 1989, we had him  
7 in front of us and explored his interestingly named  
8 concepts with him.

9 I think what it comes down to is this,  
10 Dr. Quinney. What evidence do you have for the Board  
11 that if MNR were required tomorrow to implement some  
12 form of adaptive management, as you suggest is  
13 organized and set out in Exhibit 2062, some mechanics  
14 of adaptive management in a timber management planning  
15 process are set out here, why do you want the Board to  
16 do that; why do you want the Board to order MNR to  
17 undertake something called adaptive management  
18 planning, as you view it, what is there to be gained  
19 from doing this?

20 DR. QUINNEY: Well, there's several  
21 things. Fast learning, better reliability on results.  
22 We're not talking about additional costs, we're simply  
23 talking about a different way of doing business, a way  
24 of doing business that ensures, okay, that we obtain  
25 the best information as we go along.



1                   If we follow those few but strict, if you  
2     like, steps of adaptive management we can enter the  
3     future in terms of forest management much more safely.

4                   MR. MARTEL: What's worrying me, Dr.  
5     Quinney, is the constant reference we have to  
6     cumulative impacts, and I can only go by what I saw  
7     when we visited site after site after site, giving  
8     various organizations the opportunity to direct us  
9     where they wanted us to go to, what they wanted us to  
10    see. We were looking for those.

11                  I mean, we heard Dr. Carr last week about  
12    cumulative impacts, might be real in BC. I didn't see  
13    much erosion around Kapuskasing, quite frankly. I  
14    thought there was too much water in Kapuskasing, and  
15    the elevation was two feet from the highlands to the  
16    lowlands and I didn't see much in terms -- I'm looking  
17    for what -- I read the definition of cumulative  
18    impacts - I understand what you're driving at - I'm  
19    trying to find out where I saw it, I'm trying to ask  
20    people - and as I've asked - I asked Dr. Carr last week  
21    the same question, where.

22                  We've heard Mr. Hanna talk about  
23    watershed impacts, and we're going to hear from your  
24    witness next week, I guess it is, about these. I  
25    haven't seen them though.

1                   When we ask people to direct us to them,  
2           that is why we hired helicopters and flew all over the  
3           world, so to speak, in northern Ontario. There wasn't  
4           much shown to us by any of the parties who had the  
5           option to show it to us.

6                   And while I understand your concern to  
7           ensure that these don't occur, and that is legitimate,  
8           I'm not sure they're happening yet. Maybe somebody  
9           should show them to me.

10                   DR. QUINNEY: Could I also mention, Mr.  
11           Martel, that it's important that even though, as you  
12           say, they may not have occurred to the point where, for  
13           example, they're visible yet, that it's very important  
14           that we use the tools, the analytical tools that would  
15           allow us to detect, that would allow us to in fact  
16           forecast if those things are on the verge of occurring.

17                   As an example, I'm not in a position  
18           unfortunately to comment on site degradation or the  
19           watershed impacts, but from just a wildlife habitat  
20           example alone, one of the values of a forecasting tool,  
21           the analytical tool, habitat supply analysis, you would  
22           actually be able to use it as a cumulative impact  
23           analysis tool.

24                   MR. MARTEL: Okay. From that perspective  
25           it makes some sense. I'm trying to put it in the real

1 world that I saw for the past four years - maybe I was  
2 blind when I was there, I don't think so - but to avert  
3 something from happening, if that's the context you're  
4 putting it in, is somewhat...

5 DR. QUINNEY: From my own particular  
6 areas of expertise, I will go back to a wildlife  
7 habitat example too, because when we're again talking  
8 about timber management activities, there can be, there  
9 can be extended periods of time between an action and  
10 an effect and that, again, is another reason why those  
11 forecasting tools are so important.

12 MADAM CHAIR: Before we leave this topic  
13 of trying to get Dr. Quinney to explain exactly to us  
14 what he means by adaptive management - and Mr. Martel  
15 has talked about cumulative effects - but I'm  
16 interested in adaptive management with respect to  
17 integrating wildlife and timber values.

18 DR. QUINNEY: Okay.

19 MADAM CHAIR: And I would really like to  
20 see -- to be able to list the important components of  
21 your proposed adaptive management process.

22 Now, obviously one of them is habitat  
23 supply analysis, you consider that to be an important  
24 part of adaptive planning.

25 DR. QUINNEY: Yes.

1                   MADAM CHAIR: You consider the fact that  
2                   foresters and other MNR staff people are required to  
3                   explain their decisions and rationale for their  
4                   decisions, whether it's in a policy or a specific  
5                   timber management plan; you expect numerical objectives  
6                   in the same way that you would predict how many cubic  
7                   metres of wood you would take off a forest, you want to  
8                   see those same sort of numerical objectives for  
9                   wildlife habitat.

10                  DR. QUINNEY: (nodding affirmatively)

11                  MADAM CHAIR: What are the other major  
12                  aspects of adaptive management with respect to this  
13                  integration of wildlife habitat?

14                  DR. QUINNEY: I would perhaps just ask  
15                  you to look at page 20 of my witness statement. It  
16                  gives a brief summary of what that adaptive management  
17                  methodology is and then, of course, why it wouldn't  
18                  cost us more because it's a different way of doing  
19                  business.

20                  If I hear you correctly, Madam Chair, you  
21                  would like to know at each step of our overall  
22                  comprehensive planning process where adaptive  
23                  management will be applied and how it will be applied.

24                  Would it be appropriate for me to come  
25                  back at that time and do that for you.



1                   MADAM CHAIR: At this point we want to  
2 know what are the main five or 10 components of  
3 adaptive management that you're proposing.

4                   We've read all your terms and conditions,  
5 obviously, we've digested them some time ago. There  
6 are many, many things in there that touch on your  
7 adaptive management proposal, but what we want to know  
8 is very specifically, can you give us a short list of  
9 the key components of adaptive management, as you see  
10 it, and if it's difficult right now and you would  
11 rather answer that after a break or after lunch, that's  
12 fine too.

13                  DR. QUINNEY: For efficiency, why don't I  
14 do that.

15                  MADAM CHAIR: Why don't we do that. And  
16 we understand everything you've said in your witness  
17 statement, and we understand the research approach and  
18 the scientific perspective and how you can't do it  
19 exactly, we understand everything you said in the  
20 witness statement, but we still need in front of us  
21 what the major components are of adaptive management.

22                  MR. O'LEARY: We would be happy to try  
23 and do that over the break or perhaps over the lunch.

24                  MADAM CHAIR: Thank you.

25                  MR. O'LEARY: I'm going to try to be

1 concluded by the lunch break, but we might run a bit  
2 over that.

3 MADAM CHAIR: Let's go ahead, Mr.  
4 O'Leary.

5 MR. O'LEARY: Q. I have a couple of more  
6 questions relating to Dr. Quinney's evidence in the  
7 witness statement relating to adaptive management.

8 Dr. Quinney, turning to Question 65, you  
9 state that:

10 "It is logically inconsistent to conclude  
11 that there is inadequate knowledge to  
12 incorporate non-timber values  
13 quantitatively in timber management  
14 decisions."

15 Can I ask you what you mean by the phrase  
16 'incorporate non-timber values quantitatively in timber  
17 management decisions'?

18 DR. QUINNEY: A. I'm sorry, Mr. O'Leary,  
19 I'm having a little trouble keeping up.

20 Q. We're now in that portion of the  
21 witness statement under adaptive management and  
22 uncertainty at page 33 and we're looking at Question  
23 65.

24 And I just want you to explain what you  
25 mean by that portion of the sentence, you say

1 'incorporate non-timber values quantitatively in timber  
2 management decisions'?

3 A. Oh. A good example would be from the  
4 graphics from yesterday, the second graph, the third  
5 graph.

6 Q. Now --

7 MR. MARTEL: Could I stop there then.

8 MR. O'LEARY: Sure.

9 MR. MARTEL: Can you tell me, Dr.  
10 Quinney, specifically how much are we going to  
11 quantify? You know, are we going to quantify moose,  
12 are we going to quantify deer?

13 I'm trying to get a handle on what you  
14 mean, you really mean when you're taking about  
15 quantifying. How far does one take quantification?

16 It's just on this certain species,  
17 certain non-timber values or -- I'm just not certain  
18 how far. I mean, I keep hearing how we're going to  
19 quantify, but we must quantify.

20 It's the same sort of thing. I'm not  
21 sure you have a checklist of what you want to quantify  
22 or...

23 DR. QUINNEY: My brief answer would be  
24 that when the public identifies what they want to see  
25 the forest managed to deliver, what benefits they want

1 to receive, that those benefits can be measured and,  
2 therefore, can be quantified.

3 MR. MARTEL: You're not suggesting then,  
4 therefore, we have to do an inventory of everything--

5 DR. QUINNEY: No.

6 MR. MARTEL: --that is there?

7 DR. QUINNEY: No.

8 MR. MARTEL: But rather the objectives  
9 that you're attempting to, let's say, moose, number of  
10 moose.

11 DR. QUINNEY: I would say if it can be  
12 managed, it can be measured.

13 MADAM CHAIR: And if the public doesn't  
14 make any choices, Dr. Quinney, then what is MNR's role  
15 in that?

16 If the public can't make any choices or  
17 won't make any choices, then presumably all of us would  
18 want MNR to protect all values.

19 DR. QUINNEY: I'm having difficulty,  
20 Madam Chair, visualizing an example because when I  
21 think of my own experience and, particularly for  
22 example our membership.

23 People are willing to state preferences.  
24 When a series of feasible options are presented to  
25 them, it's my experience that they are willing to state



1 I prefer "x" over "y" or apple over orange. In a  
2 hypothetical situation where they don't have any  
3 preference --

4 MADAM CHAIR: Or another situation where  
5 preferences are stated by your Coalition, yes, the  
6 tourist operators make their objectives well known and  
7 their choices known and, yes, an OFAH representative  
8 makes the choices known, and then for all the other  
9 interests that aren't represented in these options --

10 DR. QUINNEY: Where ultimately does a  
11 decision in a case like that lie?

12 MADAM CHAIR: (nodding affirmatively)

13 DR. QUINNEY: I would say with our  
14 elected representatives, and the representatives of  
15 those when we're talking about public, public lands.

16 MR. MARTEL: Yes. But let me give you a  
17 hypothetical. The public, let's say, doesn't want a  
18 clearcut over a hundred hectares ever, let us say that  
19 was the decision, the public or 50 -- we've heard  
20 people at the various hearings we've been at, one in  
21 Ottawa, where they said one hectare clearcut was big  
22 enough.

23 How do you override that? I mean, you  
24 say -- I mean, that was the maximum size of a clearcut  
25 for a party, for a variety of reasons, they wanted only

1       one hectare.

2                   You know, and we've heard all kinds of  
3       sizes of what clearcuts should be or could be or must  
4       be in terms of applying the moose guidelines. We've  
5       got a range from one hectare to a lot.

6                   Who makes that ultimate decision? I  
7       mean, let's say there's conflict amongst the various  
8       parties and you go from one that we heard in Ottawa to  
9       others who would say: Well, as long as it's not  
10      detrimental in terms of moose and so on, as long as  
11      you've got the corridors there and so on, let it roll,  
12      and somewhere in there someone's got to make a  
13      decision. Who's ultimately going to do it?

14                  DR. QUINNEY: Yes, and the --

15                  MR. MARTEL: Let me use a better example,  
16      caribou. I'm told - I don't know much about caribou -  
17      except we've been told to have -- that for caribou you  
18      need much bigger clearcuts than we now have, much  
19      bigger I'm told.

20                  I don't think at this time, I'm not sure  
21      there are very many people who are prepared to see  
22      clearcuts that might be required large enough to  
23      provide a place for caribou, and yet if you want to  
24      maintain caribou, who's going to make that decision?  
25      That would be contrary to most planning, I'm told, most

1 planning team's expectations of what a clearcut should  
2 be.

3 Who makes that decision, Dr. Quinney?

4 DR. QUINNEY: Well, Mr. Martel, do you  
5 think that if it were explained to the public that the  
6 habitat requirements of caribou to maintain a healthy  
7 herd of caribou require such and such and such and such  
8 that it would be easier for them to make an informed  
9 decision as to clearcut size? I think it would.

10 MR. MARTEL: If you put all the facts on  
11 the table and people are prepared to do it.

12 DR. QUINNEY: Yes.

13 MR. MARTEL: Except that there is a  
14 conception -- there is a concept, there is an idea out  
15 there amongst people that clearcuts - some people at  
16 least - that anything over a hectare is too big.

17 I guessing what we're trying to grapple  
18 with, where do you saw off, even with all the best of  
19 intention putting the material forward, there will be  
20 differences of opinion amongst your planning group as  
21 sure as God made little green apples.

22 DR. QUINNEY: There will be differences,  
23 there will be conflicts. As we will explain in Panel  
24 9, we will have conflict resolution mechanisms in  
25 various, for example, committee forms.

1 But on this topic, I really think it's  
2 important that the right questions are posed to the  
3 public; in other words, you know, again with reference  
4 to public lands: What is it you wish from this land  
5 base, because that has to be, in my opinion, the  
6 starting point: What do you want, identify what it is,  
7 for example, you wish the managers to deliver.

8 Unless there is that clarity of focus to  
9 begin with, then I agree with you, you get into all  
10 kinds of problems about, for example, discussion on  
11 clearcut size because people are talking about  
12 different things, they haven't stated they haven't  
13 stated: Well, I wish to have such and such delivered  
14 from that land base. Can you do it, how would you do  
15 it?

16 MADAM CHAIR: Well, ideally, Dr. Quinney,  
17 I think everybody would like to have that situation in  
18 the area of the undertaking. We would like to have  
19 nice tidy definitions of a consensus of what the public  
20 wants to see on any particular piece of forest.

21 But getting back to my original question,  
22 I have this -- when you talk about the quantification  
23 of objectives, I have this sort of image in my mind  
24 that what you ideally would like to see is, let's say a  
25 binder, one of those big red binders, and you would



1 have a hundred pages in it and for each page you would  
2 have -- it would be for each management unit in the  
3 province in the area of the undertaking, and under each  
4 one of those management units you would have a list  
5 like Option A on page 3 where you would have - and  
6 let's say that was a selected option - and you would  
7 have for every management unit a little table like that  
8 saying this is the objective for how much wood, number  
9 of hectares for moose habitat, da da da, all the way  
10 down.

11 Is that what you want, you want to see  
12 something that tidy and that mathematical for every  
13 management unit and, in some way, you feel that would  
14 improve the management of all resources in the area of  
15 the undertaking?

16 DR. QUINNEY: A short summary table like  
17 you've described appearing in the third illustration  
18 summed up for each FMU I think would be very valuable  
19 information to have on a provincial basis for the  
20 public.

21 I think that the public would appreciate  
22 knowing, for example, what the state of, for example,  
23 wildlife habitat is over the province based on that  
24 summary from each FMU. I think they would appreciate  
25 knowing those opportunities, laying it out explicitly

1       for them, yes.

2                   MADAM CHAIR: But we've got two problems;  
3       don't we, and we've heard that from your evidence as  
4       well, and the first problem is we can't fill the blanks  
5       because we don't have all the information to put into  
6       those boxes; and, secondly, the minute you put them in  
7       the boxes, the information changes.

8                   DR. QUINNEY: Well, I would say that we  
9       can fill in the boxes, we can make a best guess using  
10      the best available information and that as we move  
11      along we will make that estimate better and better and  
12      better.

13                   Implicitly we're already doing these  
14      things when we make tradeoffs anyway. So I guess what  
15      I'm saying is that we -- right now, right now we could  
16      fill in these blanks. It may not be the best possible  
17      answer, but for management purposes, I think we can  
18      proceed by using the best available information and  
19      refining it, improving it as we go.

20                   MR. MARTEL: Do you think much of that  
21      information is now - my colleague said some of it's  
22      missing - but is there sufficient information in the  
23      database now using the FRI and so on to do this?

24                   DR. QUINNEY: Yes, I believe so. I  
25      believe that, again, for example, with reference to the

1 implementation of an adaptive management approach, we  
2 don't need to go out and collect more information.

3 MADAM CHAIR: Dr. Quinney, we had  
4 evidence two weeks ago from Suzanne Dube-Veilleux who  
5 said her exact problem in a timber management planning  
6 exercise now is that the FRI data is - I don't know,  
7 she said something critical about it, I don't remember  
8 what the word was, but it's not --

9 MR. O'LEARY: Comprehensive.

10 MADAM CHAIR: --was out of date, it's  
11 just not relevant to the decisions they're trying to  
12 make in this particular management unit.

13 MR. MARTEL: In the Hornepayne area.

14 DR. QUINNEY: Well, I didn't mean to  
15 imply that information shouldn't continue to be  
16 collected, continue to be updated. What I'm saying is,  
17 let's start with what we have and, yes, let's update  
18 it, let's improve, but we've got enough to start.

19 MADAM CHAIR: And just one final question  
20 before we move on to another topic; and, that is, if  
21 you are convinced that this is the best way to go, you  
22 are convinced that it can be done, why isn't MNR doing  
23 this? Why, in your view, are they not -- you've made  
24 the argument that it's being done elsewhere in Canada,  
25 why isn't MNR doing it in Ontario, in your view?

1 DR. QUINNEY: Well, in my view, No. 1,  
2 I'm surprised that they're not. In terms of, in my own  
3 opinion, why they are not, I don't know, Madam Chair, I  
4 honestly don't know.

5 It's very perplexing to me to see these  
6 other jurisdictions so far ahead of Ontario.

7 MADAM CHAIR: Thank you. Go ahead.

8 MR. O'LEARY: Q. Dr. Quinney, just a  
9 couple of questions that might clarify a portion of the  
10 Coalition's planning process, and going to your  
11 illustration No. 1 on Exhibit 2062, I want to ask you  
12 what group or groups is it that develops the basic  
13 public priorities which you identified in the blue box  
14 there? Who's involved in that?

15 DR. QUINNEY: A. The local citizens  
16 committee.

17 Q. All right.

18 A. For a given FMU.

19 Q. All right. And am I --

20 A. Who live in that community, live in  
21 that area.

22 Q. At the very beginning stage there is  
23 going to at least be representation from the local  
24 community?

25 A. Absolutely.



1 Q. And there was also an example made in  
2 respect of caribou, and if I can boil the question all  
3 down to, who ultimately is going to make the decision.

4 Looking at page 5 of your illustrations,  
5 I note that there's a green box at the very top which  
6 reads the Minister, and if it was decided that that  
7 level, that maintenance of the numbers of caribou in  
8 the province was a priority, is there any way in the  
9 Coalition's planning process that that directive would  
10 filter on down to some level which would then be  
11 incorporated into that planning process and  
12 consideration?

13 A. Oh yes. The diagram which will be  
14 fully explained in Panel 9 clearly shows that  
15 provincial level directions from the Minister will come  
16 back to the local citizens committee that is intimately  
17 involved with all aspects of the timber management  
18 planning process in our proposal.

19 Q. All right. Now, on that diagram  
20 you've got local citizens committee and timber  
21 management planning team side by each. Is that  
22 indicative of anything?

23 A. Yes, it's indicative that they're  
24 inseparable in our proposal.

25 Q. And can you give us an idea of the

1 extent that they would be working together?

2 A. Well, as I mentioned, at all steps of  
3 the timber management planning process they are  
4 actively involved, when they want to be, with the  
5 technical timber management planning team.

6 Q. All right. Thank you, Dr. Quinney.  
7 Just go back now to the witness statement. Very  
8 briefly, you state in paragraph 2 in your response to  
9 Question 65 that:

10 "There are a number of logical  
11 inconsistencies...", and you will see  
12 that you go on to identify one in the second sentence  
13 by using the word 'first', and I'm just curious as to  
14 whether or not there are any other logical  
15 inconsistencies that you can identify?

16 A. I guess I would use the moose  
17 guidelines as another example of illustrating  
18 inconsistency in that to effectively apply the moose  
19 guidelines essentially what a biologist is doing is  
20 performing a mental habitat supply analysis.

21 Q. All right. Now, in the third  
22 paragraph of your response to Question 65 you make  
23 reference to adaptive management making the best use of  
24 available information.

25 Can I ask you what the situation would be

1 if there was no information available?

2 A. To be honest, it's quite difficult  
3 for me to imagine situations where there's absolutely,  
4 absolutely no information. I think the challenge  
5 rather is for the forest manager, you know, to use his  
6 knowledge plus that which may be available in the  
7 scientific literature, you know, to deal with, for  
8 example, local gaps. You use what you've, you fill in  
9 those gaps as you go.

10 Now, the degree of confidence, of course,  
11 that you're going to have is not going to be as great  
12 as when you do have a lot of knowledge, but you use  
13 what you have.

14 Q. Thank you. Moving on to Question --

15 A. I might mention that's why -- another  
16 reason, again, why explicit quantitative analyses are  
17 so valuable, because they allow you to accumulate that  
18 knowledge, in my opinion, faster.

19 MADAM CHAIR: Excuse me. Mr. O'Leary, is  
20 this a time to put to Dr. Quinney a question that the  
21 Board raised at the scoping session with respect to  
22 what MNR has said about its willingness or ability to  
23 implement habitat supply analysis in a formal way?

24 MR. O'LEARY: Absolutely. I was sort of  
25 saving it for the end of the day by and large, but if

1       you wish Dr. Quinney can answer that now.

2                   MADAM CHAIR: All right. I was taken by  
3       something you said and, that is, that all wildlife  
4       biologists today make mental habitat supply analyses  
5       when they look at a timber management plan and say:  
6       Yes, I think this meets a guideline; yes, I think this  
7       supplies sufficient protection for this species or  
8       whatever.

9                   When we reviewed the evidence of MNR with  
10      respect to whether or not they would use habitat supply  
11      analysis, certainly there isn't a lot of opposition  
12      with respect that it will be a useful tool, and from  
13      reading the transcripts one gets the view that MNR is  
14      saying that: Well, if we could afford it and we could  
15      have the GIS system up and working and we had the  
16      computing equipment and people and the money to do it,  
17      I think their reaction was, yeah, that would be all  
18      right, we would like to do that.

19                  Now, are you saying that MNR shouldn't  
20      wait 10 years until it's in the position of having the  
21      money and the resources and the computing ability up to  
22      steam, that they should start doing it today in a much  
23      simpler way?

24                  DR. QUINNEY: Yes, yes. My fear, Madam  
25      Chair, with regards to this Board, is MNR saying, you



1 know, we can't afford, you know, to do this. Because I  
2 believe that, as you've just said, it may be  
3 rudimentary versions, but it can be done starting  
4 today.

5 MADAM CHAIR: So the rudimentary  
6 version -- let's describe what the most rudimentary  
7 version of habitat supply analysis is. Is that a  
8 paragraph in the timber management plan where the  
9 biologist says, I reviewed this plan and for these  
10 reasons I think this clearcut configuration will work  
11 all right with respect to protecting various aspects of  
12 moose habitat. Is that a part of habitat supply  
13 analysis?

14 DR. QUINNEY: That the biologist will  
15 have population, a target and through habitat --

16 MADAM CHAIR: Of moose, not hectares of  
17 moose habitat.

18 DR. QUINNEY: Well, he will -- that's  
19 part of the habitat supply analysis, to deliver the  
20 habitat requirements that are going to produce a  
21 thousand moose, okay. So he will need both, he will  
22 need both. I might bring --

23 MADAM CHAIR: So is it all right, do you  
24 think at this point, if Dr. Euler was doing a timber  
25 management plan and he was describing in some way his

1 review of it and is it -- could he say -- would it be  
2 acceptable with respect to habitat supply analysis to  
3 say, yes, if we undertook timber management this way  
4 over the next five years we would have the same number  
5 of moose as today or fewer or more.

6 DR. QUINNEY: Yes.

7 MADAM CHAIR: If you couldn't say, we  
8 will deliver 1,024 moose.

9 DR. QUINNEY: Oh, sorry. I think I might  
10 have lost you. It would be, if Dr. Euler at the FMU  
11 level, okay, he could establish through an HSA what the  
12 carrying capacity of the moose range on that FMU was,  
13 we could get a moose target and he could tell you  
14 whether he could, through the timber management  
15 activities over that time horizon, whether that target  
16 could be met or what was a realistic target to meet  
17 through habitat population.

18 MADAM CHAIR: And you see that as being a  
19 few pages in the timber management plan with respect to  
20 discussion in a table with some numbers in it?

21 DR. QUINNEY: Mm-hmm.

22 MADAM CHAIR: And you would consider that  
23 to be the implementation of habitat supply analysis?

24 DR. QUINNEY: Well, a summary table  
25 perhaps.

1                   MADAM CHAIR: You want to see numbers  
2 with respect to habitat supply?

3                   DR. QUINNEY: Yes, yes. My analogy would  
4 be with reference to what we see in terms of wood  
5 supply, would be my closest analogy.

6                   But in terms of exactly what I would like  
7 to see in a given timber management plan, I guess what  
8 I would ask, Madam Chair, is if I could come back to  
9 you with that, in terms of exactly in the plan what I  
10 would want to see.

11                  MR. MARTEL: But you have to determine:  
12 Where does the figure come from? Is that left by the  
13 local citizens group then? Let's say - you use the  
14 term a thousand here in your presentation, if you left  
15 all the wood you could have more than a thousand I  
16 suppose.

17                  DR. QUINNEY: perhaps.

18                  MR. MARTEL: The local citizens group  
19 would make the determination in conjunction with the  
20 background -- I mean, you could produce more moose if  
21 you didn't cut trees.

22                  Well, I'm not sure, because of the type  
23 of feeding range, but if you had the proper aquatic  
24 places for them to eat and so on, who makes the  
25 determination?

1 DR. QUINNEY: Well, yesterday what we  
2 were suggesting was that what the timber management  
3 planning team would do is explore a number of feasible  
4 options, one being emphasize wood, a number being, for  
5 example, emphasizing wildlife habitat, another option  
6 could very well be emphasize moose population, another  
7 could be emphasize furbearer, like a marten population  
8 and, in doing so, in doing so, okay, you're going to  
9 get a level of moose produced, but you're also going to  
10 get how much timber, how much furbearer, how much  
11 tourism operation.

12 MR. MARTEL: But the decision as to how  
13 many moose you want to take off a specific area is left  
14 to whom, is what I'm trying to get at?

15 DR. QUINNEY: To take off or harvest?

16 MR. MARTEL: I mean, how many are you  
17 going to have there? How many moose are you going to  
18 have, let's say, on a specific unit, who makes that  
19 determination, because depending on what you do on it  
20 will determine the number of moose you might have on  
21 it.

22 DR. QUINNEY: Exactly, exactly.

23 MR. MARTEL: And who makes that  
24 determination?

25 DR. QUINNEY: Well, it's important I



1 believe that the public see, for example, what the  
2 carrying capacity on that unit for moose could be with  
3 the, you know, various timber management activities to  
4 maximize the moose population, to see what's possible  
5 from that land base.

6 Who makes the ultimate decision, again,  
7 we come back to the various components of public  
8 consultation and who makes the decision with reference  
9 to any allocation decision on public lands.

10 MADAM CHAIR: Go ahead, Mr. O'Leary.

11 MR. O'LEARY: Madam Chair, the question  
12 you raised at the scoping, it indicated also that Mr.  
13 Neave might want to address those transcript pages  
14 which you referred to off the record.

15 Would it be appropriate for me to set  
16 them out again. They're brief. But I thought it might  
17 be appropriate also to ask Mr. Neave if he has any  
18 comments.

19 MADAM CHAIR: Go ahead, Mr. O'Leary.

20 MR. NEAVE: I'm a little confused in the  
21 discussion between adaptive management and cumulative  
22 impacts and habitat supply analysis, but the comments,  
23 or the thread that I read through the various sections  
24 that I was directed to read, primarily by an Ontario  
25 Ministry of Natural Resources personnel Dave Euler, and

1       also the item 90 in the OMNR's terms and conditions,  
2       the thread that I detected was that there was support  
3       perhaps for the habitat supply analysis but the costs  
4       and benefits were not there.

5               And my opinion certainly is that the  
6       costs are not excessive. If you look at examples that  
7       I mentioned yesterday, we're using primarily existing  
8       information, we're working that into a usable form.

9               You will hear from Jack Ward Thomas I  
10      trust. When he wrote his book he used all existing  
11      information and he did a habitat supply analysis  
12      approach and it was -- he just put biologists in motel  
13      rooms for a weekend and said: You give us the answers  
14      to the best of your judgment.

15              We have a lot of information, it's a  
16      question of using it. We can build on that  
17      information, we don't have to wait another 10 years, we  
18      can build on the information now over the next 10 years  
19      to keep refining the process, and we have many partners  
20      that would reduce the costs.

21              I suspect that one of the reasons that  
22      industry is so keen on working with wildlife interests  
23      in some of these habitat supply programs is because  
24      they can see benefits, they can see actual benefits  
25      both from a public perspective and also a refinement in

1 management which will give them more flexibility and  
2 perhaps more timber. So the costs and benefits -- I  
3 question the expectation of very high cost.

4 The benefits are immense. First of all,  
5 it ensures that the public understands the implications  
6 of a timber harvesting regime. Suppose the foresters  
7 and biologists become accountable, research becomes  
8 focused, just as it did with the timber management  
9 programs in the 1970s and 80s to fill in the gaps, so  
10 too does the biologist have to have some clear research  
11 parameters, we have to address certain specific  
12 questions.

13 The biologists -- another benefit is that  
14 the biologists and foresters, they know their role,  
15 they know what is expected and they are working  
16 together rather than at odds. That's a very high  
17 benefit for a department or for a government, to have  
18 people working in the same direction.

19 And, again, going back to quoting the  
20 ultimate benefit is the industry, which is the actual  
21 actor out there actually cutting the wood, suddenly  
22 isn't the bad guy, isn't the villain, suddenly they're  
23 working with these other objectives, they're producing  
24 habitat at the same time they're producing timber  
25 supplies.

1                   So I don't think it's a -- it's a  
2       concern, obviously, but I don't think it's a valid  
3       concern to wait 10 years and try to develop a perfect  
4       model. I think you have to, I think - again going back  
5       to Gordon Baskerville who we constantly quote - I think  
6       you have to have a leap in faith. I think you have to  
7       get on with it, get your hands dirty, get into it and  
8       just do it.

9                   Just like the foresters did 10, 15 years  
10      ago when they started developing their timber supply  
11      models, their growth and yield curves, they didn't have  
12      a lot of money to start with, they just had to do, and  
13      they have kept on refining it.

14                  That's a process. Somehow I think  
15      there's a separation between the process we're talking  
16      about, the habitat supply process, and then this  
17      adaptive management which you asked for what are the  
18      components.

19                  And, very simply, I look at it that you  
20      establish measurable objectives, moose population,  
21      moose habitat objectives, very simple. You develop a  
22      plan where the people are going to go in and influence  
23      the forest structure, the forester, and you develop a  
24      plan to meet those objectives, a timber harvesting  
25      strategy.



1                   You then are out in the field cutting the  
2                   trees down in a way that you're going to maintain the  
3                   moose habitat, enhance the moose habitat to meet those  
4                   objectives.

5                   You monitor the response by the moose, by  
6                   the vegetation periodically over a five-year period,  
7                   say, you judge the habitat change, the moose  
8                   populations, you monitor on a regularly basis to see  
9                   whether you're achieving those objectives.

10                  If you're not achieving those objectives,  
11                  you've learned, you've learned why not. You may have  
12                  to change your, objectives you may have to change the  
13                  activities, you may have to change the logging plan,  
14                  but it's a learning process, and adaptive management is  
15                  just a way of doing business.

16                  MR. MARTEL: You don't see much costs  
17                  there either, Mr. Neave, an increase in costs with...

18                  MR. NEAVE: No. Again, going back to the  
19                  costs and benefits, no. I mean, if you want to learn,  
20                  to reduce our mistakes, to have a greater refinement in  
21                  the science, you have to have some measurable  
22                  parameters that you can see whether you're winning or  
23                  losing, whether you're actually learning so you're  
24                  doing a better job.

25                  MADAM CHAIR: How do you respond to the

1 Ministry's argument, Mr. Neave, that over the last 10  
2 years the moose herd in Ontario has grown?

3 MR. NEAVE: That's great. In fact in  
4 talking about cumulative impacts if Ontario - I tend to  
5 agree - has not got the disasters that are befalling  
6 elsewhere, I think that's super.

7 But you have to have objectives, that  
8 when you say the moose populations have grown, what is  
9 your base, grown from what, were they down at a low  
10 point and now gone back. You have to know what you  
11 want.

12 Even when I talked yesterday that table  
13 on the visions for the forest as far as what the public  
14 expects from their forests, we all have different ideas  
15 but, at some point, we all have to agree as to what we  
16 want out of that forest. It's the only way you can do  
17 it.

18 DR. QUINNEY: I would also, Madam Chair,  
19 with reference to MNR saying: Well, the moose herd has  
20 increased, I would ask several questions to MNR.

21 Question why MNR, can you show me, you  
22 know, on an FMU to FMU basis what the habitat looks  
23 like, you know, for that moose not only now but what's  
24 the forecast for the habitat conditions into the  
25 future.

1                   In other words, there are a number of, as  
2                   you know, factors that influence any population, and I  
3                   would sure want to know from MNR what habitat  
4                   management levers have you been using, if anything, to  
5                   influence that moose herd, or is it something entirely  
6                   different.

7                   Like, for example -- well, if you cut  
8                   back on the number of tags allocated to remote tourist  
9                   operators or OFAH members, that may be one method of  
10                  increasing the moose herd.

11                  Now, it's also my understanding that  
12                  there are examples on a WMU by WMU basis where the  
13                  moose herd is not increasing.

14                  MR. MARTEL: Mr. Neave, the secret was in  
15                  what you said, is to get people to agree what they  
16                  want. We have sent all the parties packing twice to  
17                  negotiate. We've got some success but, quite frankly,  
18                  I think we've moved with the speed of an anaemic snail;  
19                  and while we have some success with two major runs at  
20                  it, but I suppose far more not agreed to than what's  
21                  been agreed to, and what is the formula for agreement?

22                  MR. NEAVE: I just have to emphasize, you  
23                  are never going to get agreement until we have some  
24                  finite objectives. You have to have objectives on the  
25                  table that everybody understands.

1                   And the only way you can do it - whether  
2   it's at the provincial, regional, district, or site  
3   level, and it's all the same - is the public has got to  
4   be able to look at those objectives, those finite  
5   objectives and a series of options; whether you're  
6   maximizing timber, maximizing wildlife, maximizing  
7   tourism or whatever, hopefully it's a mix of those, and  
8   let the society interests determine which option they  
9   want, and it works.

10                   It's spotty all over the country.  
11   Ontario is facing similar problems as other provinces,  
12   but it works.

13                   If I could address just a moment the  
14   cumulative impact, if I can respond to that. If I can  
15   take this moment. May I?

16                   MR. MARTEL: Yes.

17                   MR. NEAVE: There are examples in  
18   Ontario, there are examples across the country, and my  
19   personal experience is oil and gas in Alberta. Oil and  
20   gas activities which are cumulative, they build up,  
21   never one activity is very much but collectively they  
22   are.

23                   I suggest acid rain in Ontario, the  
24   impact on trees and growth yields and indirectly  
25   effects on habitat which seems to have effects on



1 wildlife populations. That's a whole area, but I  
2 suspect that suggestion is sufficiently there that we  
3 need to know, we need scientific information to be able  
4 to see that impact.

5 Moose habitat. We can have the greatest  
6 habitat program, and I've seen it time and time again,  
7 where you sit down with the forester and you come up  
8 with the ideal plan, but you forget that the moose may  
9 use the habitat. If you build roads perhaps associated  
10 with logging or perhaps totally innocently for oil and  
11 gas, mining and some other reason, you end up with an  
12 increased number of hunters or poachers or whatever  
13 which reduces the impact of -- or the value of that  
14 habitat.

15 Landscapes. You can modify the landscape  
16 a little bit and still have a visual image is still  
17 positive for tourism, but at some points you go over  
18 that and what is that break point where suddenly it  
19 becomes no longer a natural looking landscape.

20 Those are all cumulative impacts, all  
21 occurring in Ontario.

22 MADAM CHAIR: Mr. Martel says it's break  
23 time.

24 MR. O'LEARY: All right.

25 ---Recess taken at 10:30 a.m.

1 ---On resuming at 10:55 a.m.

2 MADAM CHAIR: Please be seated.

3 Mr. O'Leary?

4 MR. O'LEARY: Thank you, Madam Chair.

5 Q. Dr. Quinney, turning to page 34 of  
6 the witness statement you were asked at Question 66:

7 "Are there alternatives to the adaptive  
8 management approach that you just  
9 described?"

10 And your response is:

11 "Yes, the approach being advanced by the  
12 MNR could be considered an alternative."

13 And then you state:

14 "The Ministry has concluded through the  
15 ESSA exercise that there is a high level  
16 of uncertainty associated with their  
17 understanding of timber management  
18 activity impacts on non-timber values."

19 Can you tell us what you are referring to  
20 and what you mean by the 'ESSA exercise'?

21 DR. QUINNEY: A. Yes. An example would  
22 be the ESSA exercise of 1987, the ESSA effects workshop  
23 exercise, 1987 which, for example, Exhibit 380 and  
24 Exhibit 381 I believe.

25 Q. Thank you. You then go on in the

1 next question and state in your response to Question 66  
2 that:

3 "Their response...", meaning MNR,  
4 "...to that uncertainty, has been to  
5 continue using their conventional  
6 timber management approaches and to  
7 initiate a traditional research  
8 program." And you continue on.

9 My question is: What do you mean by  
10 'traditional research program'?

11 A. I mean, an emphasis on choosing a  
12 couple of sites, having experimental and control  
13 treatments as opposed to local effects monitoring.

14 Q. Now, turning the page to Question 68,  
15 you see right in the question that's put to you you  
16 say:

17 "Throughout this hearing various  
18 witnesses have referred to the need to be  
19 adaptive and flexible."

20 And can you provide any references where  
21 this has been stated in the transcripts?

22 A. Yes. One example is found in Volume  
23 94 and it was Dr. Euler's testimony, page 15960  
24 starting at line 25 to page 15961 line 13. Would you  
25 like me to read that? Would you like me to read that?

1 Q. If you felt it would be helpful and  
2 it's not too long.

3 A. Yes. The question was posed to Dr.  
4 Euler, and the question was:

5 "Dr. Euler, if I was to say to you, let's  
6 take just the featured approach but use  
7 what Dr. Baskerville is suggesting  
8 instead of a constraint environment an  
9 objective environment, if I take the  
10 featured species approach and I say this  
11 is my objective and I wish to establish,  
12 are your comments still the same."

13 And Dr. Euler's answer is:

14 "Well, you see, that's what we are trying  
15 to do in Ontario, we are trying to  
16 simplify all this morass of difficulty  
17 into some fairly easily understood  
18 approaches that can deal with adaptive  
19 management to change, and I think that we  
20 are trying to do, as near as I can  
21 understand.

22 So we do featured species  
23 management, which means the person on the  
24 ground has a relatively small number of  
25 things to think about and yet he can



1 still meet the objectives.

2 There is still a constraining  
3 element involved in it. We still try to  
4 be adaptive in the process and I think,  
5 somehow it seems to me, that it's the  
6 best amalgamation of all the stuff that  
7 we can do."

8 Q. And that is one of the references  
9 that you're referring to in your response to Question  
10 68?

11 A. Yes.

12 Q. All right. Now, at the very end of  
13 that response you state that:

14 "The absence of a clear statement of the  
15 professional knowledge and judgment of  
16 forest managers historically in this  
17 province is a major opportunity loss."

18 Can I ask you, Dr. Quinney, do you  
19 believe the silvicultural guides which are in existence  
20 in any way address this concern which you've expressed?

21 A. On the wood supply side of things,  
22 yes, they do. They are a necessary complement that are  
23 providing good assistance in developing silvicultural  
24 treatments and it's in the same regard that our  
25 Coalition then is recommending that similar types of

1 technical manuals be developed on the habitat side, on  
2 the recreation side.

3 But I can't imagine, for example, those  
4 silvicultural guides without having yield curves in  
5 them that were, you know, for different site types that  
6 employed, for example, FORMAN, a model to develop those  
7 yield curves and using those, of course, the forest  
8 managers have a good understanding of forest dynamics.

9 And wildlife biologists presently in this  
10 province are having to use local prescriptions through  
11 the moose habitat guidelines without having the ability  
12 to forecast at the forest level and that is, of course,  
13 very important.

14 Q. Dr. Quinney, we're now moving to that  
15 portion of your witness statement which is entitled  
16 Research Strategy, and I take you to your response to  
17 Question 69 where you indicate that you have been  
18 involved in several long-term research projects arising  
19 from the effects/effectiveness workshops.

20 Can you be a little more specific as to  
21 the workshops to which you were referring?

22 A. Yes, and I think it would be helpful  
23 to provide to the Board a handout that shows the  
24 various committees that were struck.

25 MADAM CHAIR: We received that at one

1 point I think, Dr. Quinney.

2 DR. QUINNEY: Oh good.

3 MADAM CHAIR: I would like to see it  
4 again, though. I don't remember the exhibit number  
5 where we saw the proposed structure for the monitoring  
6 workshops and various technical committees and  
7 stakeholders groups that fed into it, I don't recall  
8 what that exhibit number was.

9 MS. SEABORN: I believe it was during  
10 MNR's Panel 16 evidence, the monitoring panel, but I'm  
11 not sure what the exhibit number was.

12 MR. O'LEARY: Perhaps while we are  
13 waiting for that exhibit to come out, I could expedite  
14 matters. One of the questions raised by the Board  
15 during the scoping... (handed)

16 MADAM CHAIR: Thank you, Mr. O'Leary..

17 All right. The Board hasn't seen this  
18 material. We saw a proposed organizational chart that  
19 was spoken to by Mr. Gordon who was a secretary, or who  
20 was proposed at that point as being the secretary of  
21 one of the --

22 MR. FREIDIN: Dave Gordon.

23 MADAM CHAIR: Dave Gordon. So we saw at  
24 that point what was conceived as being somehow the  
25 committee's network. This looks -- this might be

1 something different. We'll give it another exhibit  
2 number.

3 MR. FREIDIN: I think, Dr. Quinney, this  
4 is information or things that happened since Panel 16.

5 MADAM CHAIR: Yes, the date on this is  
6 November 19th.

7 MR. FREIDIN: Yes.

8 MADAM CHAIR: All right. Let's give this  
9 an exhibit number, and it will be Exhibit 2066.

10 And how shall we describe this  
11 documentation, correspondence. Why don't we call it  
12 material --

13 MR. O'LEARY: 19 pages, if that is...

14 MADAM CHAIR: 19 pages of material  
15 updating the effectiveness monitoring program and  
16 committee structure for the projects on aquatic  
17 effectiveness, tourism effects.

18 And did you also include the moose --  
19 looks like just aquatic and tourism effects, Dr.  
20 Quinney?

21 Ah, and there is also a draft document  
22 dated November 13th, 1990 on--

23 DR. QUINNEY: Protection of fish habitat.

24 MADAM CHAIR: --the protection of fish  
25 habitat under -- the title is: Conceptual Outline of



1 Research Activities to Assess and Monitor Effectiveness  
2 of Timber Management Guidelines for the Protection of  
3 Fish Habitat.

4 ---EXHIBIT NO. 2066: 19-page document dated November  
5 19, 1990 updating effectiveness  
6 monitoring program and committee  
7 structure for projects on aquatic  
8 effectiveness, tourism effects  
9 and draft document dated November  
10 13, 1990 titled: Conceptual  
Outline of Research Activities to  
Assess and Monitor Effectiveness  
of Timber Management Guidelines  
for the Protection of Fish  
Habitat.

11 MR. O'LEARY: Q. You were going to  
12 identify, Dr. Quinney, those workshops that you were  
13 referring to in your response to Question 69.

14 DR. QUINNEY: A. Yes. The structure  
15 that you can see then in the first diagram has a  
16 steering committee at the top of it and then below a  
17 stakeholder committee and beside it a planning  
18 committee.

19 MADAM CHAIR: All right. You're  
20 referring to the page following Appendix 3?

21 DR. QUINNEY: Yes.

22 MADAM CHAIR: All right.

23 DR. QUINNEY: And beside that stakeholder  
24 committee box you can see that MNR invited a number of  
25 forest stakeholder groups to participate in the effects.

1 research programs, OFAH and NOTO being among the  
2 membership, and three pages following that is a  
3 description of this stakeholder committee that was  
4 provided to us by the Ministry of Natural Resources.

5 MADAM CHAIR: Excuse me, Dr. Quinney.  
6 And your involvement is on the stakeholder committee  
7 not the technical committees?

8 DR. QUINNEY: I will get to that, Madam  
9 Chair, I'm involved in both.

10 MADAM CHAIR: All right.

11 MR. FREIDIN: Madam Chair, I'm just  
12 wondering if we're going to be referring to this  
13 document, there is a number of pages in it - I don't  
14 know whether you are - it would be easier to number  
15 them so the witness can say I'm referring to page 6 or  
16 page 9, otherwise it's hard to follow.

17 I don't know whether we're going to be  
18 looking at a lot of this.

19 MADAM CHAIR: Okay. Well, everyone  
20 number his or her pages, it's 1 through 19.

21 MR. O'LEARY: The stakeholder committee  
22 would be page 17, the diagram was page 14.

23 MADAM CHAIR: Okay, Dr. Quinney, we're on  
24 page 17 then with the description of the stakeholder  
25 committee's responsibilities.

1 DR. QUINNEY: Yes, mm-hmm. So that was  
2 the initial terms of reference the stakeholder  
3 committee was given by the Ministry of Natural  
4 Resources, and then I'll refer you to page 19 because  
5 it shows then the various effects projects that MNR has  
6 undertaken. So the stakeholder committee was to have  
7 provided input to all of these projects.

8 In addition, for me personally, I had --  
9 I have also been involved in the population monitoring  
10 project of Dr. Baker on the technical committee.

11 Now, the last stakeholder committee  
12 meeting, to the best of my knowledge, was December 14,  
13 1990. In the case of the population monitoring  
14 project, technical committee, they have had meetings  
15 since then and some of them, in fact, I was unable to  
16 attend because of other duties.

17 MADAM CHAIR: Is there anything for the  
18 stakeholder committee to do until you get something to  
19 look at from the various projects being done by the  
20 technical committees?

21 DR. QUINNEY: No. The most recent report  
22 I have received from all of those various projects, the  
23 most recent would be roughly June, '91 and, again, a  
24 report from the population monitoring project. That  
25 was the most recent.

1                   Now, between December, '90 and June, 1991  
2           there was some information provided on the aquatic  
3           project also, but I really can't explain in any more  
4           detail when the stakeholder committee would be next  
5           meeting or -- I don't know.

6                   MADAM CHAIR: From which project did you  
7           receive the most recent information, Dr. Quinney?

8                   DR. QUINNEY: The population monitoring  
9           project of Dr. Baker.

10                  I might make an amendment actually to  
11           that page 19. There is a project shown as the featured  
12           species project listing Dr. Euler as the scientist, the  
13           title of that project was changed to the "other  
14           wildlife project"; in other words, wildlife other than  
15           moose that are affected by timber management  
16           activities.

17                  MADAM CHAIR: Now, Dr. Quinney, you're  
18           not the one who can probably answer this the best, but  
19           you're the one we have got in front of us right now.  
20           The report by the Ontario Wildlife Working Group--

21                  DR. QUINNEY: Yes.

22                  MADAM CHAIR: And I understand this is  
23           for the Wildlife Management Branch, does that fit in  
24           anywhere to these various projects and committees for  
25           timber management?



1 DR. QUINNEY: No, not to my knowledge,  
2 Madam Chair.

3 MADAM CHAIR: All right. Go ahead, Mr.  
4 O'Leary.

5 MR. O'LEARY: I was just going to  
6 inquire, Madam Chair, whether or not all the Board's  
7 questions in respect to the status of these various  
8 working groups have been answered, because that was one  
9 of the scoping questions you raised.

10 MADAM CHAIR: Yes, that's fine.

11 MR. O'LEARY: That's satisfactory.

12 MADAM CHAIR: Yes.

13 MR. O'LEARY: Q. Moving on, Dr. Quinney,  
14 to your response to Question 70, you indicate, starting  
15 in the middle of the third paragraph on page 36 and  
16 continuing on to page 37, you identify three advantages  
17 to local effects monitoring and they are -- looking  
18 first at the middle of the third paragraph on page 36,  
19 you state that:

20 "In essence each relationship will be  
21 Customized for local conditions using the  
22 local knowledge of the forest managers  
23 and other informed persons."

24 You describe another advantage on page 37  
25 in the first paragraph as being:

1 "The positive effect on the mindset of  
2 local forest managers."

3 And then the third advantage you identify  
4 is -- sorry, that was in the third paragraph. The  
5 second one you identify is:

6 "The immediacy of the transfer of  
7 knowledge to forest managers."

8 And my question to you is simply whether  
9 or not these advantages can also be achieved through  
10 the Ministry of Natural Resources research projects  
11 which are presently underway for fish and moose?

12 DR. QUINNEY: A. No, I don't believe so.

13 Q. All right. And do you have a basis  
14 for that opinion?

15 A. Yes. I would like to -- I've already  
16 referred to Dr. Baskerville's Exhibit 979 on cumulative  
17 impacts assessment, so I won't turn to that again now,  
18 but he reinforces what I've just said and there is also  
19 another reference I would like to make note of at this  
20 point, and I'll just do that.

21 It's a Ministry of Natural Resources  
22 report entitled: A Program of Technology Development  
23 for Wildlife Habitat Management in Northern Region  
24 Forests, authored by W. Robert Watt, the Northern  
25 Forests Development Group in Timmins.

1 MADAM CHAIR: What's the date on that,  
2 Dr. Quinney?

3 DR. QUINNEY: There's no date on it,  
4 Madam Chair.

5 MADAM CHAIR: Is that a report by the  
6 Technical Development Committee?

7 DR. QUINNEY: Northern Forest Development  
8 Group.

9 MR. FREIDIN: That is a TDU.

10 MADAM CHAIR: Thank you, Mr. Freidin.

11 MR. FREIDIN: Mr. Watts works there.

12 MADAM CHAIR: And why did you refer to  
13 that report, which point were you making, Dr. Quinney?

14 DR. QUINNEY: Oh yes. Well, in that  
15 report -- in that report Mr. Watt emphasizes the  
16 importance of an adaptive management approach in timber  
17 management and he goes on -- he goes on on page 29...

18 MR. O'LEARY: I do have a copy, Madam  
19 Chair. You can mark it as an exhibit. I'm a little  
20 slow-handed.

21 MADAM CHAIR: Thanks, Mr. O'Leary.

22 MR. O'LEARY: Q. Dr. Quinney, what are  
23 pages again you're referring to the Board?

24 DR. QUINNEY: A. Page 29.

25 Page 29, in the second paragraph, Mr.

1 Watt states:

2 "In short, our forecasts will have  
3 varying degrees of uncertainty associated  
4 with the them."

5 Then:

6 "Implementation of this approach brings  
7 with it the responsibility of  
8 establishing monitoring programs designed  
9 to identify failures of forecasts to  
10 conform to actual observations.

11 Identification of these deviations is  
12 crucial to the ongoing improvement of the  
13 models and the improvement of our  
14 understanding of the biological systems."

15 Again, what I would like to emphasize  
16 here is that, yes, we need primary research, but we  
17 also need local effects monitoring to deal with issues  
18 such as site variability.

19 MADAM CHAIR: We will give this an  
20 exhibit number, Exhibit 2067.

21 And the title is: A Program of  
22 Technology Development for Wildlife Habitat Management  
23 in Northern Region Forests by Robert Watt, a program  
24 biologist with the Wildlife Habitat Northern Forest  
25 Development Group in Timmins and he refers to a budget



1 in 1990 to 1991, we assume this report is fairly  
2 recent.

3 MR. O'LEARY: It appears to be earlier  
4 than that.

5 ---EXHIBIT NO. 2067: Report entitled: A Program of  
6 Technology Development for  
7 Wildlife Habitat Management in  
8 Northern Region Forests authored  
by Robert Watt, Wildlife Habitat,  
Northern Forest Development  
Group, Timmins.

9 MR. O'LEARY: At page 24, it might be  
10 late '88. Madam Chair, I just want to make one comment  
11 with respect to that document. It would appear that we  
12 couldn't eliminate all of the little -- see, there's  
13 numbers -- circled numbers and I apologize. We do  
14 strive to provide parties and the Board with a clean  
15 copy and we just haven't been able to do that in this  
16 case.

17 Q. Dr. Quinney, can I just ask you,  
18 looking again at page 29, the very last paragraph, if  
19 you would like to make any comment in respect to what's  
20 stated there?

21 DR. QUINNEY: A. Yes. The paragraph  
22 immediately following what I just read you, Mr. Watt  
23 states:

24 "If managers are to make decisions based  
25 on wood supply and habitat availability,

1                   they will require targets for both. The  
2                   adaptive process...", and he is  
3 specifically referring to the adaptive management  
4 process:

5                   "...requires quantitative objectives for  
6 all resources. These do not currently  
7 exist for wildlife other than moose and  
8 only exist for moose at the wildlife  
9 management unit. Wildlife objectives  
10 will be required at the forest management  
11 unit level for managers to make  
12 appropriate decisions. This will require  
13 the development of wildlife management  
14 plans" period.

15 I agree with those statements.

16 Q. Thank you. Now, moving on to your --

17 A. With the exception of--

18 Q. Sorry?

19 A. --the last sentence, 'this will  
20 require the development of wildlife management plans',  
21 Not necessarily, because the fact of the matter is  
22 these could be accomplished through the timber  
23 management planning process.

24 Q. Thank you. Then the last paragraph  
25 of your response to Question 70 on page 37, you state

1 in the middle:

2 "Other witnesses have repeatedly  
3 cautioned the Board of the dangers of a  
4 "cookbook" approach to timber  
5 management."

6 What is your opinion as to whether  
7 habitat supply analysis can be considered a cookbook  
8 approach?

9 A. Well, it's not a cookbook approach.  
10 The moose guidelines could be considered a cookbook  
11 approach where specific applications are described  
12 without an explicit cause/effect basis to evaluate the  
13 effectiveness of, for example, alternate types and  
14 patterns of forest management activities.

15 Q. Turning to page 39 of the witness  
16 statement, Dr. Quinney, Question No. 75, you indicate  
17 that:

18 "Insights in generic relationships can be  
19 explored by aggregating local effects  
20 monitoring data to broader levels."

21 Can you explain what you mean by this  
22 statement?

23 A. Oh sure, through an example. We  
24 could take -- there are, for example, on the order of  
25 about 50 FMUs in the province.

1 MR. FREIDIN: I'm sorry, what paragraph  
2 are we referring to or were we?

3 MR. O'LEARY: Well, it's more of a  
4 summary. I tried to follow it rather than reading the  
5 whole section again.

6 MR. FREIDIN: I just want to know what  
7 you're talking about.

8 MR. O'LEARY: We're talking about in the  
9 last paragraph in his response to Question 75 on page  
10 39. Have you got that?

11 MR. FREIDIN: Yeah.

12 MR. O'LEARY: All right.

13 Q. Particularly the first sentence, I'm  
14 simply asking Dr. Quinney to elaborate on what he's  
15 stating.

16 DR. QUINNEY: A. Yes, aggregation. We  
17 could take, for example, observations from several  
18 FMUs, an example might be spacial configurations of  
19 habitat, take them from several FMUs, spacial  
20 configuration of habitat in association with habitat  
21 utilization, for example, by moose moose and where.

22 And a generic relationship in this  
23 respect could be that, in addition to concentrations of  
24 animals in older age-classes for cover, that there  
25 would also be a concentration of animals on, say, east



1 slopes where they can -- yes.

2 Q. Thank you. Now, in your response to  
3 Question 76, and the question refers to the Coalition's  
4 terms and conditions 153 to 157, you indicate that --  
5 you state your reasons why wildlife management unit  
6 boundaries should be realigned.

7 And I would like to ask you what support  
8 you have for this position?

9 A. Well, I mentioned additional support  
10 from Mr. Watt's report, but I would also draw the  
11 Board's attention to a report, a recent report --  
12 relatively recent report produced by ESSA.

13 Q. While you're looking it up for the  
14 record, the Watt report again is Exhibit 2067?

15 A. The report is dated June 14, 1991.

16 MADAM CHAIR: Do we have that as an  
17 exhibit, Dr. Quinney?

18 DR. QUINNEY: It is titled: Habitat  
19 Supply Analysis and Modelling, State of the Art and  
20 Feasibility of Implementation in Ontario. I'm sorry,  
21 Madam Chair, I don't know if it's an exhibit.

22 MR. O'LEARY: No, I don't believe it is.  
23 We have prepared copies.

24 MADAM CHAIR: Thank you. This will  
25 become Exhibit 2068.

1 MR. O'LEARY: (handed)

2 ---EXHIBIT NO. 2068: 81-page report entitled: Habitat  
3 Supply Analysis and Modelling,  
4 State of the Art and Feasibility  
5 of Implementation in Ontario,  
6 prepared for MNR Wildlife Branch  
7 published June 14, 1991.

8 DR. QUINNEY: And I would draw your  
9 attention to pages 34 and 35, the bottom of 34, top of  
10 35, and the statement is made:

11 "The lack of coincidence of FMU and WMU  
12 boundaries was identified by Ministry  
13 staff as a potentially significant  
14 impediment to implementing integrated  
15 resource management of which HSA is an  
16 important element.

17 The current reorganization of field  
18 offices and the introduction of IRM  
19 planning areas may address this. We are  
20 presently unsure of the degree to which  
21 this may take place.

22 If WMU and FMU boundaries continue  
23 to be unaligned, the only way to address  
24 both needs will be to design analyses so  
25 that they are performed on smaller areas  
which take account of the different unit  
boundaries so that results may be

1 aggregated up to the larger areas of  
2 interest."

3 MADAM CHAIR: And, Dr. Quinney, for the  
4 court reporter, I'm going to read the title one more  
5 time for Exhibit 2068. It's entitled: Habitat Supply  
6 Analysis and Modelling, State of the Art and  
7 Feasibility of Implementation in Ontario, prepared for  
8 the Ministry of Natural Resources Wildlife Branch,  
9 published June 14th, 1991 consisting of 81 pages.

10 Excuse me. Mr. Freidin, will you be  
11 bringing reply evidence with respect to this report?

12 MR. FREIDIN: I was just commenting to my  
13 support people that OFAH is reducing at least the  
14 amount of paperwork we have to file because we intend  
15 to look at all of these things. So the answer is yes.

16 MADAM CHAIR: Thank you.

17 MR. O'LEARY: Q. Dr. Quinney, looking at  
18 your response to Question No. 77, which is:

19 "Are you in support of the research  
20 program designed to test the  
21 effectiveness of the moose guidelines?"

22 You state in the second paragraph:

23 "As I indicated previously, our  
24 acknowledge of environmental systems will  
25 always be complete."

1                   Then you state:

2                   "I'm convinced that even...", and you've  
3 highlighted the word 'even',

4                   "...if adequate funding is committed to  
5 the moose research program for the next  
6 16 or 20 years that there will still be  
7 major questions outstanding."

8                   Can I ask you why you've highlighted the  
9 word 'even'?

10                  DR. QUINNEY: A. Yes. I highlighted  
11 that because, as I said, we are in favour of primary  
12 research, but the MNR track record leads us to have a  
13 great deal of uncertainty, if you like, with reference  
14 to the securement of funds, the reliability of securing  
15 funds.

16                  I mean, commitments that long inside MNR,  
17 we know of examples within MNR, for example, where, you  
18 know, enforcement is cut back, there is talk of, for  
19 example, the Ontario Renewable Resources Research Grant  
20 Program being cut back, and the concern here is the  
21 uncertainty of funding, down the road MNR may change  
22 its research priorities.

23                  Q. But if there was the funding  
24 contributed to the research program which has been  
25 suggested, do you have any view as to whether all



1 outstanding questions will be resolved at that time?

2 A. Pardon me?

3 Q. That if the funding which has been  
4 suggested would be available for this research program,  
5 do you have a view as to whether or not all of the  
6 outstanding questions that are looking to be addressed  
7 would be addressed?

8 A. Oh, they definitely wouldn't be  
9 because of the nature of the systems that are being  
10 studied. We're always going to be generating  
11 questions.

12 Moose are probably one of the most well  
13 studied, best known mammals on earth and we still have  
14 an awful lot to learn and will have, I'm sure, for  
15 years.

16 Q. Thank you.

17 A. Regardless of the amount we have.

18 Q. Thank you. Now, in the last sentence  
19 of the second paragraph in your response to Question 77  
20 you state:

21 "It is not realistic to expect to  
22 overcome significantly the uncertainty in  
23 our understanding of natural ecosystems  
24 through a research program of the sort  
25 proposed."

1 Do you have anything else to add in  
2 respect to that statement and that comment?

3 A. Yes. I address that in my  
4 immediately prior response, that even after 20 years  
5 there's still going to be important outstanding  
6 questions.

7 MR. MARTEL: Would that be the case no  
8 matter what the type of research you did?

9 DR. QUINNEY: Yes.

10 MR. MARTEL: What's the difference?

11 DR. QUINNEY: The difference is -- the  
12 difference is, again, between emphasizing monitoring at  
13 the local level as opposed to using just a few sites  
14 over a 20 -- what is possibly a 20-year time horizon,  
15 waiting for those results to then come in, as opposed  
16 to at the site level using local effects monitoring to  
17 collect the same types of data.

18 MR. MARTEL: Are you suggesting that  
19 whatever is learned over the 20 years that one will  
20 wait until the 20 years is up before it intends to  
21 utilize any of that material?

22 DR. QUINNEY: Oh, I would certainly hope  
23 that that's not what MNR is going to do, but that that  
24 research, it's going to be very difficult to gain  
25 because they're selecting for their -- for the actual

1 research very few sites on the ground, it's going to be  
2 extremely difficult to extrapolate to all areas in the  
3 province where moose occur.

4 This site variability question which,  
5 again, requires that local monitoring to address that  
6 site variability question.

7 MR. MARTEL: In terms of monitoring,  
8 you're not just talking about collecting numbers?

9 DR. QUINNEY: No, I'm actually talking  
10 about, for example, monitoring the cause/effect  
11 relationships upon which your predictions, your  
12 objectives have been made, actively doing that.

13 MADAM CHAIR: Dr. Quinney, something that  
14 the Board has discussed over the last three and a half  
15 years over and over again with all the evidence we have  
16 heard, and this is very simplistically put, and it's  
17 not meant to sound anti-academic or anti-intellectual,  
18 but the question that faces us is, to what extent do  
19 you put resources to studying a problem, to what extent  
20 to you do research, to what extent do you assess  
21 something, to what extent do you monitor something  
22 versus the extent to which you devote the resources to  
23 actually protecting what you're concerned about?

24 DR. QUINNEY: Producing what you would  
25 like to produce.

1                   MADAM CHAIR: Or producing what you would  
2                   like to produce, but at least not losing what you've  
3                   got.

4                   And so I think it would be helpful for  
5                   the Board when you try to explain your views on habitat  
6                   supply analysis and adaptive management that you give a  
7                   signal to us about, this is really critical towards  
8                   producing or protecting this resource verus studying  
9                   it.

10                  I think it's a very difficult argument  
11                  for people in your position to say, let's study it,  
12                  let's look at it, when the people who have to make  
13                  decision about things that they have responsibility  
14                  for--

15                  DR. QUINNEY: Doing it.

16                  MADAM CHAIR: --doing it, protecting it,  
17                  and so I think it would be really helpful for the Board  
18                  with respect to the question Mr. Martel has just put to  
19                  you, and that is whether MNR studies it one way for 20  
20                  years or you want to sudy it another way for five  
21                  years, why is it better to do it your way with respect  
22                  to protecting what we have got? How is it going to be  
23                  better to do it your way?

24                  DR. QUINNEY: My briefest answer would be  
25                  that the adaptive management approach emphasizing local



1 monitoring what it's doing is it's blending, it's  
2 blending research and monitoring by doing it through  
3 management. It's not a separate research study  
4 exercise.

5 MADAM CHAIR: So you're saying don't do  
6 research, just manage?

7 DR. QUINNEY: No, I'm sorry. No, I  
8 didn't want to leave that impression. It's a question  
9 of priorities. Should the priority be with primary  
10 research or management through adaptive management and  
11 local monitoring.

12 And I suggest, while we need both, the  
13 priorities, the priorities have to be shifted to that  
14 local monitoring scale.

15 MR. O'LEARY: I'm wondering, Madam Chair,  
16 if that might also be an addendum to the response we're  
17 going to give you in respect to adaptive management  
18 which we are hoping to put together over lunch as well.

19 MADAM CHAIR: All right, Mr. O'Leary.

20 DR. QUINNEY: I might also conclude by  
21 saying that sometimes the use of classical research  
22 designs in these long-term projects can be used to  
23 delay management decisions: Oh, well, we don't know,  
24 so we'll have to wait until the results in. And we're  
25 trying to emphasize that we can use the best available

1 knowledge rather than wait and wait and wait.

2 MR. O'LEARY: Q. Dr. Quinney, if you  
3 could turn now to Question 82 on page 43, and in that  
4 response to that question you indicate that:

5 "There is the need for intensive research  
6 on specific issues that is best carried  
7 out independently."

8 And you will find that that reference is  
9 in the first paragraph of your response. Can you  
10 identify for the Board what you mean by  
11 'independently'?

12 A. Yes. I mean, independent of local  
13 effects monitoring, that's the context.

14 Q. In the second paragraph of your  
15 response to Question 82 you indicate that:

16 "Practical barriers prevent local effects  
17 monitoring for wildlife species that are  
18 not featured or locally significant."

19 What are the practical barriers that you  
20 are referring to in your response?

21 A. Well, one of the practical barriers  
22 is mentioned right there, the high number of species  
23 involved. I mean, you've got a wealth of diversity of  
24 vertebrate species alone. That is a practical barrier.

25 MADAM CHAIR: Excuse me, Dr. Quinney, in

1 the boreal forest in the area of the undertaking, I  
2 think the evidence before the Board is it's not the  
3 most biodiverse location in the world.

4 DR. QUINNEY: Yes. Yes, in terms of  
5 numbers of species. For example, ecosystems farther  
6 south closer to the equator would have a tremendous  
7 number of species compared to our boreal forest, but  
8 that's not to say we don't have a rich and diverse  
9 flora and fauna.

10 MADAM CHAIR: So the 300 vertebrate  
11 species you refer to here are those species in the  
12 boreal forest in the area of the undertaking?

13 DR. QUINNEY: Oh yes.

14 MADAM CHAIR: And the thousands of other  
15 species you're referring to are wildlife, plants,  
16 everything else?

17 DR. QUINNEY: Yes. A broad definition of  
18 wildlife, invertebrates, microorganisms.

19 MR. O'LEARY: Q. Can you tell me, does  
20 the Coalition's proposals face the same barriers, one  
21 of which you've just referred to?

22 DR. QUINNEY: A. No, I don't believe  
23 they do, and I will explain that in detail in Panel 6.

24 We have overcome this barrier through our  
25 comprehensive management plan for biodiversity in

1 conjunction with featured species management, in  
2 conjunction with management for other significant  
3 species, because that comprehensive approach will in  
4 fact provide habitat required to maintain viable  
5 populations for all of our named organisms.

6 Q. Dr. Quinney, now moving on to the  
7 area in your witness statement which is entitled Public  
8 Involvement in Adaptive Management, there's a couple of  
9 questions arising out of your evidence there.

10 On page 44 in response to Question 83, in  
11 the first paragraph, you state that:

12 "These wishes and aspirations...", and  
13 you're referring to those of the public,

14 "...are best reflected through concrete,  
15 measurable objectives for timber and  
16 non-timber values in timber management  
17 plans."

18 When you say 'best reflected through  
19 concrete, measurable objectives', can you tell us what  
20 you're comparing to in that statement?

21 A. Yes. I'm comparing to, as opposed to  
22 non-explicit objectives and constraint management  
23 approach.

24 Q. Can I ask you then, how does the  
25 incorporation of concrete, measurable objectives for



1 timber and non-timber values in timber management plans  
2 reflect the public's wishes and aspirations as you  
3 indicate it does?

4 A. Excuse me.

5 Q. I just want to know how the  
6 incorporation of concrete, measurable objectives for  
7 timber and non-timber values in the timber management  
8 plan reflects the public wishes and aspirations as you  
9 suggest is the case in your response to Question 83?

10 MR. FREIDIN: Well, he didn't say that  
11 they reflected, he said they would best reflect it.

12 MR. O'LEARY: "These wishes and  
13 aspirations are best reflected through  
14 concrete, measurable objectives for  
15 timber and non-timber values for timber  
16 management plans."

17 It's a direct quote, Mr. Freidin.

18 MR. FREIDIN: Yes. I think he's saying  
19 that they are best reflected in that manner as opposed  
20 to saying quantitative objectives. That's different  
21 than saying it reflects their aspirations. The  
22 question is improper and --

23 MR. O'LEARY: Q. All right. I will put  
24 it to you in that sense, if that helps, that the  
25 public's aspirations and wishes are best reflected by

1 concrete, measurable objectives for timber and  
2 non-timber values and just ask you how that is  
3 accomplished?

4 DR. QUINNEY: A. How it's accomplished,  
5 as opposed to depending on, for example, sort of vague  
6 or narrative statements.

7 Q. Yes.

8 A. Well, the public, with clear and  
9 explicit objectives, for example, on non-timber values  
10 in the timber management plans can see exactly what  
11 they are getting in terms of benefits of those  
12 non-timber values throughout the length of the planning  
13 horizon.

14 Q. And what's your understanding as to  
15 the present situation?

16 A. Well, that does not exist in the  
17 present situation.

18 Q. Moving on to paragraph --

19 MADAM CHAIR: Excuse me, Mr. O'Leary, I  
20 don't like to interrupt because we are going to be  
21 talking about this matter specifically in Panel 9 with  
22 respect to conflict resolution and how the public  
23 arrives -- how the public tells us what they want out  
24 of a particular piece of forest, but I think we raised  
25 this in the scoping session as well.

1                   Mr. Martel and I have always thought,  
2 even after we heard Dr. Baskerville the expert in  
3 explaining constraint management verus adaptive  
4 management, we still stumble over the idea that you can  
5 get rid of constraints. In other words, we can't  
6 conceive in our own minds that you could go through the  
7 entire exercise of adaptive management but you would  
8 still be left in certain situations with constraints.

9                   The fact that local anglers couldn't  
10 drive up to a lake because of the protection of tourist  
11 values, would be a -- values would be a constraint on  
12 the local anglers; the fact that a company couldn't  
13 harvest in a no-cut reserve because of the protection  
14 of fish habitat would be a constraint on the company;  
15 the fact that -- well, every example we can think of of  
16 every stakeholder is, at some point, there is a  
17 constraint that you just can't get around and you can  
18 call it adaptive management, you can say that's better  
19 than simply operating on the basis of constraint  
20 management, but at the end of the day Mr. Martel and I  
21 just see that at some point someone is constrained by  
22 the actions of other stakeholders, even though the  
23 public has defined the option in some way, conflict  
24 resolution has been undertaken in some way, at the end  
25 you still have constraints.

1                   Now, in adaptive management, in that  
2                   approach, what do you call those constraints, do you  
3                   call those the things you can't solve, the losers from  
4                   an exercise in public consensus, what are they, because  
5                   they exist; you can't just adaptively manage them away?

6                   DR. QUINNEY: There will always be  
7                   constraints as such. I would argue, however, that with  
8                   reference to conflict resolution wherever we possibly  
9                   can frame our mindset into terms of achieving  
10                  quantifiable objectives we will lessen, okay, the  
11                  conflict, we're not going to -- we will never achieve a  
12                  perfect world without some kind of conflict.

13                  MADAM CHAIR: So adaptive management  
14                  recognizes--

15                  DR. QUINNEY: It's making it better, yes.

16                  MADAM CHAIR: --recognizes that on one  
17                  piece of forest--

18                  DR. QUINNEY: Yes.

19                  MADAM CHAIR: --everyone isn't going to  
20                  be accepting and happy of the outcome of the plan for  
21                  that forest.

22                  DR. QUINNEY: Yes, right. And it  
23                  recognizes also that you can't have everything  
24                  simultaneously from the same land base.

25                  MR. O'LEARY: Q. Mr. Neave, do you have



1 a comment?

2 MR. NEAVE: A. Madam Chair, if I may  
3 just go back to the question about type of constraints,  
4 if you like. I don't think I see them as constraints,  
5 I see -- if you have stated very clearly your  
6 objectives for timber and non-timber in a finite way  
7 that everybody can understand and it's there on the  
8 table, you all agreed this is what we are going to do  
9 with this area, then you lay out a plan that delivers  
10 those objectives and all participants look at that  
11 plan, agree that that's the way we're going to do it,  
12 and the timber company with the proper guidance goes  
13 out and actually delivers the forest structure that  
14 produces that plan.

15 To me that is not a constraint, that's a  
16 proactive management of the forest to produce a whole  
17 series of products that the public want.

18 And so it's a mindset change, I recognize  
19 that, but it's very, very different, I wouldn't call it  
20 constraints.

21 MADAM CHAIR: Well, ideally that's what I  
22 think everybody wants. Unfortunately with respect to  
23 the public interest and the people who don't have a  
24 seat at the table and don't have an ability to say that  
25 this is what they want out of a plan or not, it doesn't

1 work so perfectly for their interests, but I still  
2 don't -- maybe constraint, it just throws us off  
3 because we simply don't accept that in any sort of  
4 situation in the forest there won't be -- some of the  
5 activities of some must be constrained to make way for  
6 the activities others.

7 DR. QUINNEY: Tradeoffs.

8 MR. MARTEL: You can call them tradeoffs,  
9 but ultimately even when you've got the plan before  
10 you, even at the time you agree to the plan, somebody  
11 feels constrained by the terms of the plan itself.

12 I mean, you might get the plan on the  
13 table, but a number of people might have had to accept  
14 what was traded off and they don't get what they want  
15 in a particular plan, it could be, let's say, an  
16 outpost camp where they come within -- or a road,  
17 eventually access occurs to a lake, or the local angler  
18 who says: Wait a minute, I don't like this idea, I  
19 can't go in and I want to fish that lake, I don't care  
20 what. That's my lake as much as it is anybody else's.  
21 They're constrained as well, I meant, aren't they?

22 You can say we're going to keep them out,  
23 but by God, in the final analysis, they will feel that  
24 they were -- I mean, you've seen it at some of the  
25 hearings we've been at when some of the people can't

1 get to a lake they want to get to. Boy, it's not  
2 accepted readily.

3 DR. QUINNEY: Oh agreed, agreed.

4 MR. MARTEL: In fact it's never -- so you  
5 might have to try and live with it, but...

6 DR. QUINNEY: Yes. I wonder if I could  
7 just refer to a quote by a committee that Dr.  
8 Baskerville sat on recently. I don't believe you have  
9 this in evidence, but it's, I believe, striking at the  
10 very heart of the matters that both Madam Chairman and  
11 you have just raised.

12 And this is from a Report of the Forest  
13 Sectoral Committee to the Sustainable Development Task  
14 Force, Premier Round Table on the Environment Economy,  
15 and this was a committee that was chaired by Dr.  
16 Baskerville. The report was submitted in 1990 and it  
17 wasn't just Dr. Baskerville, there's a list of -- there  
18 were at least a dozen people on the committee, and on  
19 page 15 of that report, he states:

20 "It is technically possible to manage the  
21 forest of New Brunswick to  
22 actively bring them to a condition that  
23 recognizes objectives for several values  
24 simultaneously; it rarely is possible  
25 simultaneously to meet a set of

1 independently determined objectives, and  
2 where these conflict with respect to  
3 forest conditions, it is never possible.  
4 However, with an agreed upon rule for  
5 tradeoffs, all values can be recognized  
6 and achieved to a degree of balance that  
7 is acceptable to all parties. It is  
8 technically possible but it is not  
9 simple. It is possible to have  
10 everything each group wants somewhere in  
11 the forest at all times."

12 MR. MARTEL: Okay, stop right there, Mr.  
13 Quinney. We twice have sent - and I go back to what I  
14 referred to before the break - we have twice sent all  
15 of the parties -- if it's so simple, it's wonderful to  
16 have platitudes at a meeting, I mean, those are the  
17 easiest things in the world.

18 You can look at the conference in Moscow  
19 today, they had agreement, but some of the parties  
20 weren't there.

21 You can have people sitting in a room  
22 postulating and pontificating and the whole business,  
23 but twice we have sent all the parties back over almost  
24 a three-year period and out of that three years we have  
25 this, and as I outline it in red and yellow to try to



1 find where we get agreement, where we get disagreement,  
2 there's more disagreement than agreement.

3 Maybe you can tell me why then, if it's  
4 so easy to achieve, you tell us that sitting here, why  
5 it is that just makes so little headway.

6 DR. QUINNEY: Well...

7 MR. MARTEL: Somebody tell me that so  
8 that I can understand it, Mr. Quinney. I don't get  
9 uptight very often, but when I hear people tell me how  
10 easy it is and how we are going to trade off, and I've  
11 watched three years hoping that we could reach  
12 agreement on some pretty fundamental stuff, and most of  
13 it is in red, I say it's not nearly as easy as people  
14 want me to believe.

15 Now, maybe I'm all wet. You know, just  
16 maybe I'm all wet, but maybe not.

17 MADAM CHAIR: You don't want the answer  
18 to that; do you?

19 MR. MARTEL: Why didn't we get some  
20 agreement? I mean, I guess that's the question that's  
21 always there, if it's so simple, why can't we get  
22 agreement.

23 DR. QUINNEY: I would like to --

24 MR. MARTEL: Give me a shot.

25 DR. QUINNEY: Well, I would like to try

1 and respond, Mr. Martel.

2 MR. MARTEL: Okay, go ahead.

3 DR. QUINNEY: But I'm not sure what I can  
4 say with reference to those negotiations.

5 MR. MARTEL: Because it's the same  
6 problem.

7 MADAM CHAIR: Dr. Quinney, I think what  
8 Mr. Martel is saying is he's using as an example of how  
9 difficult it must be to get agreement with respect to  
10 timber management planning, that there was great  
11 difficulty in the parties to this hearing reaching  
12 understandings and accommodation, and I think he's  
13 using that as vehicle for--

14 DR. QUINNEY: As an example.

15 MADAM CHAIR: --the comparison, and I  
16 think in his mind he's saying it doesn't look like it's  
17 going to be very simple, you can't do it through a  
18 long, laborious process such as this hearing and really  
19 is it that much more achievable at the local level.

20 MR. MARTEL: That's what worries me, you  
21 see. Very significantly it worries me, because we had  
22 the experts in a room from all of the parties and they  
23 all had their advisors with them, and isn't it  
24 interesting that with all that expertise and all that  
25 brain power we couldn't reach agreement.

1                   What's that say to you, Mr. Quinney -- or  
2 Dr. Quinney, what's that say?

3                   I'm being argumentative now but, you  
4 know, I'm just pushing you because what's it really  
5 tell us. Mr. Neave, help me.

6                   MR. NEAVE: If I can jump in, right.  
7 Perhaps the best way to answer that is to look at - and  
8 we haven't discussed this yet - is the model forest  
9 program that I hope we have a chance to briefly talk  
10 about and the expression of interest by timber  
11 companies, by governments, by private organizations to  
12 actually achieve that on the ground, 91 submissions  
13 that have been made to just do that. They want to get  
14 at and actually do it on the ground. They say we can  
15 do it, it can be done, and so...

16                  MR. MARTEL: That begs the issue though,  
17 Mr. Neave. We're talking -- I'm asking you a question  
18 why all the parties, with all their experts and all the  
19 brain power that was there in this round table that  
20 lasted two and a half years, I guess at least, couldn't  
21 reach more than a very small portion of the terms and  
22 conditions all of them put forward, and is it because  
23 each of them wanted his own way? I don't know. I  
24 simply raise it as a question that my colleague and I  
25 are eventually going to have to decide on, but it can't

1 be that simple or we would have got more agreement, I  
2 would think.

3 MR. NEAVE: I cannot speak, I haven't  
4 been sitting listening for four years.

5 MR. MARTEL: I know but, you see, you  
6 tell me about your cases and I appreciate that, I mean,  
7 it's helpful, but I simply -- my concern is that I wish  
8 it were as easy as Dr. Baskerville says.

9 I have been at a thousand meetings in my  
10 life and it all sounded good until you try to put it to  
11 the test, and then it falls apart, and somebody makes a  
12 decision and somebody doesn't get their way, and the  
13 somebody that doesn't get their way is not very happy.  
14 Maybe we should send them back to negotiate after  
15 today.

16 MR. FREIDIN: No, no.

17 MR. O'LEARY: I'd love to be there.

18 MADAM CHAIR: I think we will break for  
19 lunch now.

20 DR. QUINNEY: Note who the no came from,  
21 Mr. Martel.

22 MADAM CHAIR: We'll break for lunch now  
23 and we will be touching briefly on the model forest  
24 program.

25 MR. O'LEARY: I had just a couple of



1 questions about the public involvement, then the model  
2 forest, just a couple of questions on that, and then  
3 one response to one of the scoping questions that Mr.  
4 Neave was to speak about trappers in Alberta.

5 MADAM CHAIR: Yes, all right.

6 MR. O'LEARY: And we are done.

7 MADAM CHAIR: Thank you, Mr. O'Leary.

8 And Mr. Lindgren, you'll be cross-examining after  
9 lunch, or Mr. Baeder.

10 MR. BAEDER: Yes.

11 MADAM CHAIR: Do you have some questions?

12 MR. BAEDER: Yes, I do.

13 MADAM CHAIR: And how long will you be in  
14 cross-examination?

15 MR. BAEDER: Oh, 15, 20 minutes.

16 MADAM CHAIR: Thank you. Mr. Lindgren?

17 MR. LINDGREN: 45 minutes at most.

18 MADAM CHAIR: Thank you. Ms. Seaborn?

19 MR. SEYMOUR: I have spoken with Mr.  
20 Lindgren, I think he's probably going to cover the  
21 areas I was going to cover, so I don't expect I will  
22 have any questions.

23 MADAM CHAIR: All right. Well, you might  
24 start today, Mr. Freidin. And your cross-examination,  
25 what was your estimate to the Board?

1 MR. FREIDIN: A day.

2 MADAM CHAIR: Thank you.

3 ---Luncheon recess taken at 12:05 p.m.

4 ---Upon resuming at 1:30 p.m.

5 MADAM CHAIR: Please be seated:

6 MR. O'LEARY: Q. Mr. Neave, I just want  
7 to ask you several questions about the national model  
8 forest program, and turning to Question 56 of the  
9 witness statement you indicate -- that's at page 28, in  
10 the second paragraph, you state:

11 "The fact that these model forest  
12 programs are now coming into effect,  
13 particularly given their clear thrust  
14 towards comprehensive timber management  
15 planning, is clear evidence that these  
16 conventional and constraint management  
17 approaches to integrating wildlife  
18 habitat in timber management planning  
19 will not persist much longer."

20 I would just like to ask you what  
21 information you have in support of this statement?

22 MR. NEAVE: A. Yes. There's very little  
23 information, there's some printed forum on the model  
24 forest program. It was an initiative by the federal  
25 government under the Green Plan in the fall of 1991 and

1 we do, I believe, have a three-page --

2 Q. We do?

3 A. Yes. The program comes from the  
4 Green Plan, as I mentioned, Partners for Sustainable  
5 Development of Forests. The federal government  
6 announced a \$40-million commitment over five years to  
7 the program, I'm personally on the steering committee  
8 of this program and--

9 MR. O'LEARY: That's the Green Plan.

10 (handed)

11 MADAM CHAIR: Thanks, Mr. O'Leary.

12 MR. NEAVE: --and by late October there  
13 was 91 letters of intent to the committee indicating an  
14 interest in proposing model forests across the country.

15 By the deadline in February, we were  
16 anticipating about 50 major proposals. These proposals  
17 would include government, non-government interests,  
18 obviously the timber company or timber companies, and  
19 it's very exciting.

20 And the document that is tabled, the  
21 first two pages indicate the types of criteria to be  
22 used to measure which actual applications will be  
23 successful to determine which model forest will be  
24 chosen.

25 MR. O'LEARY: Q. The document you're

1 referring to, Mr. Neave, is a three-page piece that you  
2 produced.

3 MR. NEAVE: A. That is correct.

4 MR. O'LEARY: I'd like to identify that  
5 and ask that it be marked. It's entitled: Design of  
6 Model Forest Proposal Review Process, subheading is  
7 Background and consists of three pages. I ask that be  
8 marked as an exhibit.

9 MADAM CHAIR: This will become Exhibit  
10 2069.

11 ---EXHIBIT NO. 2069: Three-page document entitled:  
12 Design of Model Forest Proposal  
13 Review Process, subheading is  
Background, consisting of three  
pages.

14 MR. O'LEARY: And the second document  
15 that you've asked be produced, Mr. Neave, is a  
16 Government of Canada News Release, Canada's Green Plan  
17 dated September 25th, 1991, followed by a document  
18 entitled: Model Forests Background and Information  
19 Guidelines for Applicants dated September, 1991, and  
20 that is 18 pages.

21 MADAM CHAIR: This will become Exhibit  
22 2070.

23 ---EXHIBIT NO. 2070: Document entitled: Government  
24 of Canada News Release, Canada's  
Green Plan dated September 25th,  
1991, followed by 18-page  
25 document entitled: Model Forests



1 Background and Information  
2 Guidelines for Applicants dated  
September, 1991.

3 MR. O'LEARY: Q. Sorry, I believe you  
4 were talking about the first of the two exhibits.

5 MR. NEAVE: A. Thank you very much. If  
6 you refer to the Press Release, which is on the front  
7 page of that second document, you'll note that there's  
8 a hundred million dollars committed over six years to  
9 the Sustainable Development of Forest Program. As I  
10 indicated \$40-million is set aside for model forests.

11 I'm not sure I can add much to the  
12 objectives, the objectives and the criteria, except to  
13 say that it deals with advancing technology,  
14 demonstrating new techniques. It is of a long-term  
15 nature, there is a need to integrate goals and  
16 objectives of various resource sectors. It is based on  
17 a partnership approach and obviously it's to achieve  
18 demonstrations of sustainable development.

19 Q. All right, thank you. Can you tell  
20 me, how many model forests are expected to be initially  
21 approved across Canada?

22 A. It's my understanding that the  
23 Minister of Forests, Federal Minister of Forests has  
24 announced that there will be between eight and 10.

25 Q. Do you have an opinion as to the

1       likelihood that model forests will be approved in  
2       Ontario?

3                   A. I would say highly likely. One of  
4       the objectives obviously is to look at forests across  
5       Canada and to try to utilize the funds as best as  
6       possible.

7                   Q. Do you have an opinion as to whether  
8       or not there is any relationship that's likely to be  
9       developed between the model forest program and the  
10      timber management planning process which this Board is  
11      obligated to consider and approve?

12                  A. My personal opinion is that the model  
13      forest program will provide long-term information,  
14      research information that will be very useful to the  
15      timber management planning process over the next few --  
16      five and 20 years.

17                  It is different, however, than the  
18      adoption, if you like, of the existing technology into  
19      some sort of more quantitative approach.

20                  Q. All right. And on the assumption  
21      that a model forest --

22                  MADAM CHAIR: Excuse me. I just wanted  
23      to ask Mr. Neave a question, Mr. O'Leary.

24                  MR. O'LEARY: Sure.

25                  MADAM CHAIR: And that is, the applicants

1 for the model forest program are listed in Tab 7 of the  
2 witness statement, and it seems to the Board, as we  
3 looked at these lists of applicants, that there are  
4 very few who are in fact industrial forest areas, that  
5 the applicants are, by and large, municipalities or  
6 research groups or forest areas with perhaps different  
7 objectives than just those of producing fiber.

8 MR. NEAVE: I hadn't examined Ontario in  
9 detail, but you're very correct, a lot of them are  
10 Faculty of Forestry as you mentioned, however, there  
11 are forest companies such as Abitibi-Price, and what  
12 the proponent was asked to do last fall was indicate an  
13 interest in developing key -- he's planning on  
14 developing a proposal which is not required until the  
15 end of February.

16 And, for example, the Faculty of  
17 Forestry, they will have to find partners over the  
18 three-month period and develop a plan and proposal on a  
19 piece of land which will probably be a forest  
20 management lease.

21 MADAM CHAIR: All right, thank you.

22 MR. O'LEARY: Q. Mr. Neave, turning to  
23 the terms and conditions I'm going to refer you to the  
24 Coalition's terms and conditions 123 and 126 on pages  
25 20 and 21 of the Exhibit 1637.

1 Presuming that one or more model forests  
2 are approved in Ontario, do you have an opinion as to  
3 whether or not any relationship between the research  
4 initiatives proposed by the Coalition in these terms  
5 and conditions in any way relate to the model forest  
6 program?

7 MR. NEAVE: A. I did have a chance to  
8 examine them. I can't say for certain, but I'm sure  
9 that these would be the types of issues that would be  
10 appropriate for the model forest program.

11 The issues, as I mentioned earlier, is --  
12 the model forest program is not geared to provide  
13 immediate results and immediate research results.

14 Q. All right. Now, in your response to  
15 Question 60 you state that:

16 "The costs of expanding the timber  
17 management planning process to more  
18 broadly encompass non-timber values is  
19 minor compared to those anticipated under  
20 the model forest program."

21 Can you be a little more specific as to  
22 what you mean in terms of minor?

23 A. Well, as we have discussed earlier,  
24 the habitat supply analysis tool and the definition of  
25 wildlife objectives to be incorporated with timber



1 management does not require substantial new information  
2 to start. You start with what you've got and build on  
3 it and utilize a lot of the infrastructure of the  
4 timber management planning process.

5 The model forest is not geared to that  
6 approach, it's to measure the socio-economic and  
7 ecological consequences of various new methodologies,  
8 and that will take time.

9 Q. All right, thank you. One last  
10 question in respect to the national model forest  
11 program, Mr. Neave, it's in response to Question 55,  
12 and there you indicate that:

13 "The model forest program is intended to  
14 provide a testing ground for new  
15 integrated management techniques."

16 You see that the last sentence of your  
17 response to Question 55. And my question is: Do you  
18 have an opinion as to the reasonableness of continuing  
19 to review the habitat supply analysis approach under  
20 the model forest program, another pilot project that  
21 might be initiated in Ontario, before the model forest  
22 program is applied broadly in the province -- sorry,  
23 before the habitat supply analysis is applied broadly  
24 in the province?

25 A. No, it's not -- I don't think it's

1 necessary to wait for the results of the model forest  
2 program to implement some form of habitat supply  
3 analysis in any area.

4 MR. O'LEARY: My notes indicate, Madam  
5 Chair, that there is one remaining scoping question  
6 outstanding that relates to the request that was put  
7 that Mr. Neave advise as to how trappers in Alberta are  
8 compensated, and Mr. Neave has responded to that  
9 question and we have a document which we propose to  
10 file in response to that. (handed)

11 MADAM CHAIR: Thank you.

12 MR. O'LEARY: Q. For the benefit of the  
13 parties, I might add that that question presumably  
14 flows out of the reference in your curriculum vitae to  
15 your involvement in the levy on the industry to  
16 compensate trappers for habitat loss; is that right?

17 MR. NEAVE: A. That's correct. Perhaps  
18 I could just spend a moment and run through the report  
19 very briefly to provide you with some information.

20 MADAM CHAIR: Please, Mr. Neave. We'll  
21 give it an exhibit number. This will become Exhibit  
22 2071, and the title is: Energy and Natural Resources,  
23 The Fish and Wildlife Division, Alberta Trapper  
24 Compensation Program, May, 1985.

1       ---EXHIBIT NO. 2071: Document entitled: Energy and  
2                                       Natural Resources, The Fish and  
3                                       Wildlife Division, Alberta  
                                      Trapper Compensation Program,  
                                      May, 1985.

4                       MR. NEAVE: I have not been personally  
5       involved with this for close to 10 years when the  
6       proposal was developed, but I think the important point  
7       to make is that the objective of this program was not  
8       to reduce the obligation of industry to work with  
9       trappers, but it was to compensate them for both the  
10      damage to their livelihood and also their actual  
11      physical loss as far as traps and so forth.

12                    The document you have is actually a  
13      brochure outlining the program and just illustrates,  
14      that's about 10 years old. There is a Trappers  
15      Compensation Review board that acts as a bit of a  
16      mediator between trappers and industry, and also  
17      recommends to the government the appropriate level of  
18      payment.

19                    A fund has been established by assessing  
20      the oil and gas industry, a levy. When they pay a land  
21      use permit that clears the land or affects the forests  
22      in some way, and that is normally 50-cents per acre for  
23      a temporary impact and a dollar an acre if it's a  
24      permanent activity.

25                    The Fish and Wildlife Division

1 administers the program and, as I mentioned, the type  
2 of claims include vandalism and damage to equipment and  
3 assets, inconvenience, the short-term loss of revenue  
4 and, of course, the long-term loss if it's a permanent  
5 damage.

6 And again I would emphasize that this was  
7 sold as a way of encouraging more than discouraging  
8 industry to work with trappers by providing some  
9 financial relief when mitigation was not sufficient.

10 MADAM CHAIR: Excuse me, Mr. Neave. Do  
11 you have any idea of what size the fund is for this  
12 compensation?

13 MR. NEAVE: No, actually it's some of  
14 kind a circuitous route that this report came to us.  
15 We did phone the Alberta Fish and Wildlife Division,  
16 they had forwarded a copy to the Ontario Ministry of  
17 Natural Resources, who in turn gave it to us to table  
18 here today.

19 There is other information available, but  
20 I think you would have to ask either Alberta or Ontario  
21 directly, but I believe -- and this is just a very  
22 rough estimate, that there's very little money actually  
23 spent a year. It would probably be in the range of  
24 \$50,000 a year, but that's just an old guess, if you  
25 like.



1 MADAM CHAIR: Thank you.

2 MR. O'LEARY: Q. Just one final question  
3 then, it's a general one to either you, Mr. Neave, or  
4 you Dr. Quinney because just want to know if either of  
5 you have any additional comments in respect to some of  
6 the questions put to you by Madam Chair or Mr. Martel  
7 today?

8 MR. NEAVE: A. As an outsider almost to  
9 this long-term process, perhaps I could just throw out  
10 my or reiterate what I mentioned this morning about the  
11 adaptive management process and how, in listening to  
12 the various dialogue and reading the various volumes,  
13 it seems perhaps overly complex and linked with the  
14 habitat supply analysis.

15 To me it may be - I am very simplistic -  
16 but to me adaptive management is something that the  
17 forest managers do on a regular basis. Very clear,  
18 well established objectives, they develop a plan to  
19 meet those objectives, and then they implement that  
20 plan by going out and harvesting wood accordingly.

21 There was a very clear monitoring  
22 approach, both in inventory and ensuring that growth  
23 and yields and silvicultural programs and so on are  
24 effective, and that the outcome of the harvest and the  
25 regeneration meet the plan, the long-term objectives of

1 timber management.

2 If they don't, then the plan is adjusted,  
3 perhaps objectives have to be adjusted, or the  
4 activities in the future have to be adjusted. And it's  
5 just a circle that happens both at a regional or a  
6 district level in one sense and rolls up through the  
7 system into the provincial level.

8 I see that no differently with wildlife,  
9 except we don't have it, we don't have clear objectives  
10 and we should have and that's not the timber manager's  
11 fault, that's the wildlifer's fault.

12 We, as a result, cannot define very  
13 clearly how we're going to achieve what we want because  
14 we can't say what we want and we don't go to the  
15 forester and say, can you give us what we want because  
16 we can't tell him what we want. And we also cannot  
17 monitor how successful we are because we have nothing  
18 to measure it against.

19 So we have to establish those objectives  
20 very clearly and build the same sort of adaptive  
21 approach as the foresters have done, very successfully  
22 in the last 15, 20 years, and develop a level of  
23 sophistication equal to them.

24 To me the habitat supply analysis  
25 approach that is being proposed both here and is being

1 discussed across the country is nothing more than a  
2 tool, it's nothing more than the timber management  
3 models or the stream flow needs of fisheries, or any of  
4 these tools, these scientific tools that can project  
5 what the habitat will be, in the case of wildlife, into  
6 the future based on changes in the forest structure.

7 We have a present forest structure, we  
8 modify that forest structure or natural succession,  
9 it's modified anyway, and we project what the habitat  
10 is going to look like, and the habitat supply analysis  
11 gives that to us in measurable terms, in natural  
12 quantitative terms, and with that information we can  
13 then establish our objectives.

14 MADAM CHAIR: But...

15 MR. NEAVE: I'm not sure whether that's  
16 more confusing or less, but that's --

17 MADAM CHAIR: No, I think that's a very  
18 clear statement of your position.

19 Wildlife isn't as measurable as trees;  
20 trees stay in one place, you can count them a little  
21 easier, you can understand trees, you can plan for  
22 trees, it seems to the Board, in a way that's a little  
23 easier to do than wildlife because the way you're  
24 trying to manage wildlife is by its habitat.

25 You don't presume that even with habitat

1 supply analysis you're going to have the same level of  
2 certainty about information that you do about trees,  
3 you would always admit that wildlife and that  
4 association with wildlife habitat is not as black and  
5 white as measuring forests for timber supply.

6 MR. NEAVE: There's no question. I  
7 agree, it is more complex, there's more species, they  
8 are more mobile, but the habitat is the same. The  
9 habitat that you're working with is exactly the same as  
10 the timber manager is working with, it's the same  
11 trees, because those are the trees that are producing  
12 the habitat. So we've got the same bases of  
13 information.

14 So it's more awkward perhaps to project  
15 because there's more species, but if you work on --  
16 start off with the few species you know about and keep  
17 building on it, you've got the basic information,  
18 you've got the habitat types, you've got the forested  
19 structure there.

20 MADAM CHAIR: Mm-hmm. What about the  
21 situation where you want to produce a certain number of  
22 animals in a particular forest management unit and they  
23 decide, for some reason, to move next door into another  
24 forest management unit, then you haven't met your  
25 habitat supply objectives in that timber management



1 plan.

2 MR. NEAVE: Well, let me put it a  
3 different way. You've met your habitat supply  
4 objectives because you've met the habitat objectives.

5 If the wildlife doesn't like that  
6 particular habitat because habitat next door happens to  
7 be better, then I suspect that we haven't defined the  
8 habitat very well, but we have met the habitat  
9 objectives.

10 MADAM CHAIR: And that would be a  
11 successful outcome of HSA?

12 MR. NEAVE: That's correct, and what  
13 normally happens is you would end up with a habitat  
14 that is quite amenable or quite valuable to the  
15 wildlife but some other circumstance, and I mentioned  
16 roads for example, there might -- the wildlife may  
17 avoid that habitat that you have created, so...

18 MR. O'LEARY: Madam Chair, those are our  
19 questions in-chief.

20 MADAM CHAIR: All right. Mr. Baeder, you  
21 are the first cross-examiner.

22 Mr. O'Leary, were you going to have a  
23 short list prepared by the witnesses of the simple  
24 expression of the components of adaptive management  
25 with respect to wildlife/timber integration?

1 MR. O'LEARY: We discussed that briefly  
2 and the feeling was that it was contained in the  
3 witness statement. I guess the best thing to do would  
4 be to try and identify that.

5 The concern also was that those  
6 individuals having -- that would be best equipped to  
7 articulate those components and explain them to you  
8 will be coming up in future panels. That is the  
9 difficulty.

10 MADAM CHAIR: Okay, thank you.

11 MR. O'LEARY: And, in particular, Dr.  
12 Jack Ward Thomas.

13 MADAM CHAIR: All right, thank you.

14 Mr. Baeder.

15 MR. BAEDER: Thank you.

16 CROSS-EXAMINATION BY MR. BAEDER:

17 Q. Gentlemen, Mr. Neave and Dr. Quinney,  
18 my name is Michael Baeder and I represent the Windigo  
19 Tribal Council, Nishnawbe-Aski Nation and it's an  
20 amalgam of a number of aboriginal First Nation  
21 communities in northwestern area of the province.

22 Where I'm going to focus on, and I know  
23 the panel has asked you a number of questions along  
24 these lines, and it's dealing with the issue of the  
25 adaptive management model.

1                   Where I'd like to begin first and, as I  
2 say, I'll pose the question and either of you  
3 gentlemen, whoever feels comfortable with the answer,  
4 or both of you, please, jump in to answer the question  
5 once I've put it forth.

6                   Now, do I understand from your written  
7 material, witness statement that is, and the answers to  
8 questions that you have given today and on the  
9 interrogatories that there's an assumption that to be  
10 included in this model non-timber values must be  
11 quantitative?

12                   Can either of you gentlemen help me on  
13 that; do I understand that that's your position?

14                   DR. QUINNEY: A. Your question is,  
15 adaptive management calls for quantitative objectives,  
16 yes.

17                   Q. Therefore, if we were talking about  
18 non-timber values, you have to somehow quantify them?

19                   A. Yes.

20                   Q. And I know I have some difficulty  
21 with this concept of quantitative or quantifiable,  
22 quantifiability, I'm not so certain I understand it.

23                   Am I correct in assuming that when we  
24 talk about quantification, we're talking about once  
25 having identified the value, giving it a number,

1 counting it; is that what you mean by quantification?

2 A. No, not necessarily. By  
3 quantification I would mean measurable in some way. It  
4 doesn't have to result in, it doesn't have to result in  
5 a number as such.

6 Q. I suspect that if we were talking  
7 about something inanimate, for example trees and  
8 picking up from what the Chair has said, with respect  
9 to trees we are talking about a counting exercise I  
10 take it.

11 A. Yes.

12 Q. Once you identify whatever species  
13 you're interested in, you simply can go around - and  
14 since trees don't move around as easily as other things  
15 in the forest - you simply come up with a number and  
16 that is the quantification of trees; is that correct?

17 A. Yes.

18 Q. Can you give me an example of a  
19 value, a non-timber value that doesn't have a number  
20 attached to it in your model?

21 A. That doesn't have a--

22 Q. Yes.

23 A. --number attached to it? An  
24 example - perhaps because I'm not used to forums like  
25 this I will try to calm down a bit - and an example



1 would be, for example, aesthetics, aesthetic -- a  
2 scenic, a landscape, okay, that aesthetic value  
3 wouldn't immediately, you wouldn't think, have a number  
4 associated with it, but...

5 Q. How do you then quantify it?

6 A. Well, actually I believe there are  
7 ways to measure, for example, the value of those, for  
8 example, aesthetic scenery values to people. I believe  
9 there are disciplines that can in fact quantify those  
10 values.

11 Q. But you don't know them.

12 A. I don't know off the top of my head a  
13 specific example -- specific examples, except what  
14 would come to mind would be possible on a relative  
15 scale, for example, to rank aesthetic values.

16 You could put a scale, you know, for  
17 example, in the landscape, the landscape scenery an  
18 example, and you could say to people on a scale of 1 to  
19 10 would you rank this vision as highly aesthetically  
20 pleasing to you or low, and in that regard you actually  
21 could get a quantitative measure, a measure of the  
22 value of that aesthetic.

23 Q. But from what you're suggesting to me  
24 that's just simply a comparative value of scene A as  
25 opposed to scene B, but where do you cross over in

1 terms of comparing that to say -- evaluating that with  
2 respect to something as trees, where do you come to the  
3 common denominator, how do you -- what's the crucible  
4 upon which you measure the relative values of objects  
5 that you can't put a numeral prefix on?

6 MR. O'LEARY: Madam Chair, might I just  
7 remind Mr. Baeder that there will be a witness that  
8 will be speaking to the very issue of valuation in  
9 Panel 8 that is coming up at that time.

10 MR. BAEDER: Q. Is that the answer? Are  
11 you suggesting you're not able to answer that, we  
12 should leave that to Panel 8, that's fine.

13 A. There are disciplines that can  
14 address that and among the people that will later  
15 appear.

16 Q. I appreciate that and I will perhaps  
17 leave that to another time then.

18 Now, have either of you used this  
19 methodology to attempt to quantify either timber or  
20 non-timber values -- yes, timber or non-timber values,  
21 have either of you had any experience with attempting  
22 to do it. You're shaking your head, Mr. Neave, does  
23 that mean yes you have?

24 MR. NEAVE: A. Yes, I have some  
25 experience in quantifying it.

1 Q. Can you give me the example that, or  
2 example or examples? Just take one example in your  
3 situation?

4 A. I speak solely about wildlife and so  
5 obviously the example deals with wildlife and that  
6 deals with -- and the issue that actually led, in many  
7 ways, to the Hinton integrated approach was old growth  
8 forests and caribou management, and the issue was how  
9 much land do we leave for caribou uncut, and it was  
10 quite a strong political issue at the time in Alberta,  
11 that still is actually, and some of us had to come up  
12 with the best we could as far as quantification of how  
13 many caribou we wanted in that area and what their  
14 habitat requirements were in quantifiable terms.

15 Q. Have you had other opportunities to  
16 do the same in other projects?

17 A. Not personally as much as that one.  
18 That's the one I would -- the first one that comes to  
19 mind.

20 Q. So I take it you've had no experience  
21 with attempting to use this model for non-timber  
22 values?

23 A. Caribou to me is a non-timber value.

24 Q. I'm sorry, other than the caribou,  
25 other than caribou which -- and I take it in this

1 situation is it simply an exercise of counting the  
2 number of caribou?

3 A. The exercise was more than counting  
4 the number of caribou, the exercise was quantifying how  
5 many caribou that were there, how many we wanted to  
6 achieve, and what objective should be for that area,  
7 and what that meant as far as the actual habitat that  
8 was required.

9 Q. Well, how do you measure how many  
10 caribou are there? What you're doing is simply  
11 counting the number of caribou?

12 A. There was a number of inventories  
13 over the years, that's correct, yeah.

14 Q. Counting the number of caribou in a  
15 particular location.

16 A. (nodding affirmatively)

17 Q. Have you ever had to deal with a  
18 non-timber value that you can't put a number on?

19 A. Personally, no, because I'm a  
20 wildlifer and my experience has been limited to  
21 wildlife. I've had to work in many committees with  
22 people that dealt with parks and represented other  
23 interest groups.

24 Q. So you wouldn't know, for example,  
25 how to quantify such non-timber values as spirit sites



1       which maybe of interest to my clients?

2                   A.   (nodding negatively)

3                   Q.   And I take it you had never been  
4       involved in a committee that had gone about trying to  
5       quantify spirit sites which are of interest to my  
6       clients?

7                   A.   Yes, I have been involved in a number  
8       of committees personally that have dealt with both  
9       traditional use issues and also archaeological issues,  
10      both represented by experts or by people that  
11      represented those interests, if you like, and they had  
12      to be considered in the mix of integrated planning that  
13      was going on.

14                  Q.   Now, I take it that this adaptive  
15      management model, I believe you used the term just a  
16      few minutes ago, that it's a tool.  Is that my  
17      understanding, it's a tool that you use?  Did I take  
18      that down wrong?

19                  MR. O'LEARY:  Yes.

20                  MR. BAEDER:  I did.  Sorry.

21                  MR. NEAVE:  What I said, if you were  
22      quoting myself, that habitat supply analysis is a tool,  
23      the adaptive management is an approach, it's an  
24      approach based on having objectives and using a  
25      quantitative approach.

1                   MR. MARTEL: I think where the confusion  
2                   came, because I did the same thing. You were talking  
3                   about the adaptive management process, you went to  
4                   explain it, and I wrote down that you said it's merely  
5                   a tool to manage wildlife.

6                   I copied that down and then I put a  
7                   little asterisk beside it because that's why it stands  
8                   out. That's what I've written down. I could have  
9                   written it down wrong, but that's what I have written  
10                  down.

11                 MR. NEAVE: Could I correct that  
12                 misconception. Habitat supply analysis to me is a tool  
13                 that allows you to project the habitat supply based on  
14                 changes in the forest structure over time.

15                 MR. MARTEL: No, but the adaptive  
16                 management -- I have it -- I've written down, you  
17                 establish objectives as a first step, and then I go on  
18                 to say, it's a similar process and it's merely a tool  
19                 to manage wildlife, and I'm talking about adaptive  
20                 management, I'm not talking about habitat supply  
21                 analysis.

22                 Now, I might have copied it down wrong.

23                 MADAM CHAIR: I think in the written  
24                 evidence, Mr. Neave, it's fairly clear that habitat  
25                 supply analysis is one tool to use in implementing

1 adaptive management.

2 MR. NEAVE: Okay, thank you.

3 MR. BAEDER: Q. I guess the point I'm  
4 trying to make here is that the adaptive management  
5 methodology, I take it, is a means, it's not an end in  
6 itself.

7 DR. QUINNEY: A. It's a methodology,  
8 yes, that's right.

9 Q. And that in order to get to the end  
10 it requires somebody to make choices as to what values,  
11 be they timber or non-timber values, are to be favored;  
12 isn't that correct?

13 MR. NEAVE: A. That's correct.

14 Q. Adaptive management methodology  
15 doesn't answer that question, that's a question that,  
16 as I say, requires perhaps attempting to find the  
17 consensus or tradeoffs in order to determine what  
18 course of actions to follow?

19 A. That's correct.

20 Q. And I take it then that as a  
21 methodology it can't, it in and of itself, can't  
22 reconcile incompatible uses?

23 A. I think I mentioned what you have to  
24 do is provide a series of options to the public, give  
25 them the option, you look at the resource mixes and

1       they have to make that decision as to what they want  
2       out of their forest.

3                   Q.   Well, whether it's the public or the  
4       electoral representatives - and we won't quarrel with  
5       that - what I'm trying to suggest is, it doesn't answer  
6       that question, it simply provides the information,  
7       others have to make the choices?

8                   A.   That's correct.

9                   Q.   And it has no means of reconciling  
10      incompatible choices as a tool; does it?

11                  A.   That's right.

12                  Q.   And I take it then that the choices  
13      that have to be made with respect to what values are to  
14      be preserved or protected are really value laden in and  
15      of themselves; that is, they are expressive of the  
16      values that the people who make the choices wish to  
17      preserve and protect?

18                  A.   I cannot speak about all values, I  
19      can only speak about wildlife, and we have - and I can  
20      speak personally about this - we have lost our  
21      credibility over the years as wildlifers in using  
22      values, talking about the beauty of elk and not saying  
23      in quantitative terms what we want and relaying those,  
24      in some sort of habitat appreciation that the timber  
25      managers can understand. I can't speak for other



1 values.

2 Q. I appreciate what you're saying here  
3 and I take it that what you're really seeing the  
4 adaptive management methodology is as a means to  
5 further the interest of preserving wildlife?

6 A. No. I'm saying very clearly, the  
7 adaptive management process is something that is being  
8 used currently in timber management because they're a a  
9 quantifiable tool, quantifiable objectives, and I think  
10 it's appropriate that the wildlife profession use the  
11 same approach and work with the timber manager/operator  
12 because he's the one modifying the forest.

13 Whether other interests want to take that  
14 route or not, I can't argue with one way or the other.  
15 I hope they do at some point.

16 Q. That's the point I'm trying to make,  
17 is you see it as a means for preserving or promoting  
18 the particular interest that you represent, whether you  
19 copied it or you see it being used to preserve timber  
20 management, you see it as a useful tool for just that  
21 interest; that is, the preservation or the protection  
22 or furtherance of wildlife?

23 A. Not to repeat myself, I don't think.  
24 No, I see myself as a wildlife biologist. I can only  
25 speak about wildlife. I would hope that the same

1 approach would be useful for many other forms, values,  
2 but I cannot speak on that.

3 Q. You don't know whether or not that  
4 kind of methodology can advance other non-timber  
5 values, you're just guessing.

6 Mr. Neave, I'm asking you the question,  
7 you're just guessing? If I was to ask you whether or  
8 not, as a methodology, it would further other  
9 non-timber values, you have no experience or, in  
10 particular, no expertise on that?

11 MR. O'LEARY: Madam Chair, I just ask and  
12 remind Mr. Baeder that either panelists is entitled to  
13 respond to this. If Dr. Quinney felt that he could  
14 respond, that he's entitled to.

15 MR. BAEDER: Well, I'll give Dr. Quinney  
16 an opportunity. I'm just picking up from what --

17 Q. Mr. Neave, I'm trying to suggest to  
18 you, and I realize - I don't mean to repeat myself or  
19 ask you to repeat your answer - but what I understood  
20 you to say is you see it as a useful tool for the  
21 interest that you seek to represent and to protect?

22 MR. NEAVE: A. A useful approach to --

23 Q. A useful approach?

24 A. Yes.

25 Q. Dr. Quinney, yourself?

1 DR. QUINNEY: A. Well, adaptive  
2 management is not -- the methodology is certainly not  
3 limited to wildlife questions, the adaptive management  
4 methodology can be applied to all kinds of natural  
5 resource or human endeavor approaches.

6 What I see the methodology providing is a  
7 very rationale and efficient method to obtain desired  
8 objectives.

9 Q. But the desired objectives are not  
10 necessarily rationale, they involve choices that are  
11 either made up front or at the end of the process;  
12 isn't that correct?

13 A. Yes, I think I agree with that.

14 Q. What I'm trying to suggest here is  
15 that what you seek if you're -- that you may be left  
16 with a choice as to competing values, whether you wish  
17 to preserve for example an archaeological site or  
18 whether or not you wish that site to be used for the  
19 timber that stands on it, at the end of the day that's  
20 a choice you make and those choices are value laden  
21 depending upon where you're coming from?

22 A. That would be a public preference  
23 decision, yes.

24 MR. BAEDER: Those are all the questions  
25 I have. Thank you.

1 MADAM CHAIR: Thank you, Mr. Baeder.  
2 Mr. Lindgren?

3 MR. LINDGREN: Thank you, Madam Chair.

4 CROSS-EXAMINATION BY MR. LINDGREN:

5 Q. Mr. Neave, in case you don't know who  
6 I am, my name is Richard Lindgren, I'm counsel for  
7 Forests for Tomorrow.

8 And I've listened to your evidence with a  
9 great deal of interest over the last two days, but I'm  
10 still not clear as to whether or not you're here  
11 testifyng in your personal capacity or whether you're  
12 an official representative of Wildlife Habitat Canada.

13 A. I believe there was an interrogatory  
14 on that. I am here representing Habitat Canada.

15 Q. Okay. So I presume then that your  
16 board of directors passed a motion or resolution  
17 authorizing you to be here?

18 A. No. I spoke to my past chairman and  
19 the board normally does not discuss those sort of  
20 approaches.

21 Q. Did the board review your witness  
22 statement?

23 A. No.

24 Q. Has the board reviewed the OFAH terms  
25 and conditions?



1 A. I'm not sure.

2 Q. Are you a member of the OFAH?

3 A. Yes, I am.

4 Q. Now, turning to your evidence, at Tab  
5 4 -- pardon me, Tab 3 we see a list of the exhibits  
6 that you have reviewed to prepare yourself for your  
7 testimony. I see no references to any witness  
8 statements prepared by Forests for Tomorrow.

9 There's an indication at Tab 3 that  
10 you're going to file an updated Tab 3 prior to your  
11 appearance. I haven't received that.

12 I'm just wondering, since this Tab 3 was  
13 prepared, have you had an opportunity to read Forests  
14 for Tomorrow witness statement No. 9 which dealt with  
15 the landscape management and wildlife and biodiversity?

16 A. No, I haven't.

17 Q. Did you have an opportunity to read  
18 any other Forests for Tomorrow witness statements  
19 dealing with integrated forest management?

20 A. No, I didn't.

21 Q. And I take it during your current  
22 tenure with Wildlife Habitat Canada you don't consider  
23 yourself to be a practising forester?

24 A. That's correct.

25 Q. And I think it goes without saying

1 that to this point you have not drafted a timber  
2 management plan in Ontario?

3 A. That's correct.

4 Q. Have you drafted a timber management  
5 plan as a forester in Alberta?

6 A. No, I have never practised as a  
7 professional forester. I have a degree in forestry  
8 with a wildlife specialty, but I've never -- I've  
9 participated in the development of plans, but never  
10 actually one as a forester.

11 Q. And when you participated, presumably  
12 your input was as a biologist?

13 A. That is correct.

14 Q. I think this was the subject of an  
15 interrogatory, but can we agree or can you confirm that  
16 you did not draft any of the terms and conditions  
17 submitted by the Coalition?

18 A. That's correct.

19 Q. Have you had an opportunity to review  
20 the so-called Illing Report which has been marked as  
21 Exhibit 2031, this is the mediator's report?

22 A. Ah, no.

23 Q. This morning you made reference to  
24 terms and conditions No. 90 set out in the MNR's terms  
25 and conditions.

1 Have you had an opportunity to read the  
2 MNR's most current version of their terms and  
3 conditions in their entirety?

4 A. I have looked through it, but I have  
5 not studied it in detail.

6 Q. All right. Is it fair to say that at  
7 this point you're not familiar with timber management  
8 planning process that is now being proposed by the MNR?

9 A. Not in any detail.

10 Q. Can I ask you to turn to Tab 5 of  
11 your witness statement, and throughout your evidence  
12 today and yesterday you've referred several times to  
13 the landscape approach and you've referred to the need  
14 for a holistic approach to forest management.

15 Can I refer you to your first paragraph  
16 on the first page of Tab 5, and in the second last line  
17 you say:

18 "In addition, by taking an ecosystem  
19 approach to conservation..."

20 A. Sorry, I'm lost here.

21 Q. Oh. The first paragraph--

22 A. Yes, I've got it.

23 Q. --second last line which reads:

24 "In addition, by taking an ecosystem  
25 approach to conservation as opposed to

1 protecting individual species or  
2 individual sites, the health of the whole  
3 landscape can be maintained."

4 I have a couple of questions about that.

5 First of all, I take it by advocating an ecosystem  
6 approach to conservation you are talking about the  
7 landscape approach?

8 A. That's correct.

9 Q. And I take it that we can agree that  
10 a move to ecosystem based/landscape based resource  
11 management is something that you would see as desirable  
12 and necessary?

13 A. Yes.

14 Q. And, in fact, you've written about  
15 that very issue in Exhibit 2064 which is your article  
16 on Wildlife Habitat Conservation. I'm going to return  
17 to that in a second, but you've written about that  
18 subject elsewhere; have you not?

19 A. That's correct.

20 Q. And I have shown to you and produced  
21 to you earlier a document entitled: Clearcutting,  
22 which is by David J. Neave which is found in Special  
23 Issue of Forestry on the Hill. Can you tell me whether  
24 or not you wrote that article?

25 A. I did.



1 MR. LINDGREN: Madam Chair, I would like  
2 to file that as the next exhibit. (handed)

3 MADAM CHAIR: Thank you, Mr. Lindgren.  
4 This will become Exhibit 2072, and it is a one-page  
5 article with the title: Clearcutting by Mr. Neave, and  
6 it was published in Forestry on the Hill.

7 MR. LINDGREN: I believe the date is  
8 1991-92, I couldn't give you a specific month.

9 MADAM CHAIR: 1991-92. And this is  
10 published by the Canadian Forestry Association.

11 MR. LINDGREN: That's my understanding.

12 MR. NEAVE: That is correct.

13 MADAM CHAIR: Thank you.

14 ---EXHIBIT NO. 2072: One-page article titled:  
15 Clearcutting by David J. Neave,  
16 published in Forestry on the  
Hill by the Canadian Forestry  
Association.

17 MR. LINDGREN: Q. Can I ask you to turn  
18 first to the righthand column of your article and you  
19 write:

20 "Within a landscape based resource  
21 management system that appears to be  
22 evolving in Canada the economic, social,  
23 and ecological parameters can be fully  
24 recognized.

25 Through more imaginative planning

1                   and more imaginative logging management,  
2                   we can design forest landscapes that  
3                   incorporate reserved and semi-reserved  
4                   areas protecting old growth forests and  
5                   riparian corridors, we can defend the  
6                   clearcutting areas that mimic the effects  
7                   of wild fires of the past to be used in  
8                   conjunction with selective and 2-3-4  
9                   cycle cuts."

10                  Stopping right there. Are those elements  
11                  of the landscape approach you're adopting namely; a  
12                  mixture of reserved and semi-reserved areas, small area  
13                  cuts, selective cutting and so forth, are those all  
14                  practices that are consistent with landscape approach?

15                  MR. NEAVE: A. I'm sure there are many  
16                  others, in fact I said that we need imaginative logging  
17                  management. We have some tools currently as far as  
18                  timber harvesting and affecting the forest, and those  
19                  are listed there. I'm sure there are other ones, there  
20                  are, but those are -- yes, they are part of the  
21                  solution.

22                  Q. Okay. Can I ask you to turn to the  
23                  second paragraph on the left said of the article. This  
24                  reads in part that:

25                  "The traditional use of two-cycle

1 clearcuts across Canada varying in size  
2 from a few hectares to several hundred  
3 have developed solely from the  
4 perspective of economics and tree  
5 harvesting technology."

6 As practised in the past, this  
7 technique has often left a dismal  
8 environmental record from soil erosion  
9 and silting of streams with impacts on  
10 fish and wildlife populations and their  
11 habitats to silvicultural issues  
12 including scarification, the use of  
13 herbicides, and success of reforestation  
14 methods."

15 I take it that that is still your view  
16 today?

17 A. My view is that in the past the  
18 clearcutting has often been -- often created those  
19 issues, it does not have to, but because the objective  
20 has been to harvest trees from solely the timber  
21 production point of view, that has been the record, a  
22 legacy that is left.

23 Q. And you go on to indicate that:

24 "Under certain conditions clearcutting  
25 could be seen as an appropriate logging

1 technique."

2 And you also write:

3 "While guidelines can be developed  
4 regarding the size and shape of these  
5 cuts, their configuration and the extent  
6 of reforestation, each site and stand is  
7 different from an ecological  
8 perspective."

9 Now, on the issue of guidelines, can you  
10 confirm for me that Alberta has in fact implemented  
11 timber harvesting guidelines?

12 A. Well, Alberta's had timber harvesting  
13 guidelines for the last 40 years at least.

14 Q. Can you confirm for me that the most  
15 recent guidelines were published in 1989?

16 A. No, I cannot.

17 Q. Are you saying that you don't know or  
18 there's more current --

19 A. I just don't know. No, I don't know.

20 Q. Are you familiar with any timber  
21 harvesting guidelines in Alberta?

22 A. I'm intimately involved, was involved  
23 with ones around 1980, the last ones that I'm aware of.

24 Q. You're not familiar with the 1989  
25 guidelines?



1                   A. No. I was asked to make some  
2       comments on the reforestation guidelines, which is a  
3       small element of it, but -- and I did make comments on  
4       those, but that is only one part of it.

5                   Q. I take it that you would support the  
6       development of appropriate guidelines for cutting  
7       techniques not only in Alberta but within Ontario.  
8       That would be something that would be desirable; would  
9       it not?

10                  A. No, I would like to go back to just  
11       the point that I think you read out. The sentence  
12       above it talks about a managed forest, and what I'm  
13       saying there is that once we know what our forests --  
14       what we want out of our forests, how we want our  
15       forests managed, what objectives are we trying to  
16       achieve, then we can provide the timber manager, the  
17       actual harvester of the forest with some very clear  
18       direction.

19                  Obviously there's going to be flexibility  
20       on each site and that's why there has to be some --  
21       both flexibility and constraints as to what he has to  
22       do, but you have to have the clear objectives for that  
23       forest established first.

24                  General guidelines are not what's  
25       advocated there.

1 Q. So if Alberta has promulgated  
2 province-wide timber management guidelines, you don't  
3 think that's a good thing?

4 A. I have been involved in reviewing  
5 timber management guidelines in Alberta. In fact, on  
6 one - not that long ago - found it a very similar form  
7 as this advocating some problems associated with timber  
8 management guidelines. Fish and Wildlife Division has  
9 come out very clearly in the past with statements about  
10 the problems with Alberta guidelines, as one government  
11 agency to another government agency.

12 Q. So I take it you're not advocating  
13 the other extreme that we simply prevent logging to  
14 occur without any sort of guideline or provincial  
15 parameters?

16 A. That is correct. There has to be  
17 parameters. In the case of fish and wildlife, you  
18 cannot manage fish and wildlife by just creating  
19 guidelines. That was the position we came out with  
20 many years ago. The fact that Alberta still has them,  
21 it's their decision.

22 MR. LINDGREN: When do we break in the  
23 afternoons, Madam Chair?

24 MR. MARTEL: Ten minutes.

25 MADAM CHAIR: 20 to three.

1 MR. LINDGREN: Q. Okay. At various  
2 points in your witness statement, Mr. Neave, you refer  
3 to HSA, and again a few moments ago during Mr. Baeder's  
4 cross-examination you confirmed that HSA is simply a  
5 technical tool. Is that the substance of your  
6 evidence?

7 MR. NEAVE: A. My perception, and I  
8 speak for myself, habitat supply analysis is a tool and  
9 I understand there's going to be a lot of discussion  
10 about it in other panels, but my personal opinion is  
11 that's what it is.

12 Q. Can we agree that HSA is a means  
13 rather than an end?

14 A. That's correct.

15 Q. Can we also agree that HSA, for a  
16 certain featured species, is only a small component of  
17 the overall management approach that we need to take to  
18 ensure the long-term sustainability of the forest?

19 A. I'm not sure how to answer that.  
20 There is no such thing as small components. A  
21 carburetor is a small component of a car, but it's very  
22 important. It's an important component, like many  
23 other parts are, I wouldn't consider it lesser of other  
24 parts.

25 Q. Well, in order to practise adaptive

1 management or sustainable forestry, do you need HSA, is  
2 it an absolute precondition?

3 A. No, you need objectives, clearly  
4 stated objectives, measurable objectives and, in my  
5 mind, the only way that we are going to move forward in  
6 the wildlife profession is tools that allow us to make  
7 forecasts into the future in measurable terms, and HSA  
8 is one way you can do it. There may be others, great.  
9 This is the one that Wildlife Habitat Canada has  
10 promoted.

11 Q. Well, can we agree that their tools  
12 that must be used, if at all, to achieve the overall  
13 objective of securing a sustainable forested landscape?

14 A. Sure, it's one tool; yes.

15 Q. Can I ask you to turn to Exhibit 2064  
16 which is your article entitled: Wildlife Habitat  
17 Conservation. And once you have that, can I ask you to  
18 turn to page 11.

19 MADAM CHAIR: I have misplaced mine, Mr.  
20 O'Leary. I'll share Mr. Martel's.

21 MR. LINDGREN: Q. In the final paragraph  
22 on the page you write that:

23 "Our approach must be holistic. In a  
24 well managed and healthy forest there is  
25 no place for single purpose programs.



1 I'm speaking here of single species  
2 wildlife management programs and  
3 monocultural reforestation attempts."

4 MADAM CHAIR: Excuse me, are you on the  
5 first or last page, Mr. Lindgren?

6 MR. LINDGREN: I'm on page 11. It's the  
7 last full paragraph on the page that I just read into  
8 the record.

9 Q. Based on that statement, Mr. Neave,  
10 can we agree that single species management approaches  
11 are inadequate by themselves to ensure the maintenance  
12 of biodiversity?

13 A. Yes.

14 Q. Can we also agree that if species  
15 specific management is to be carried out at the local  
16 level, it should only be carried out in a way that does  
17 not compromise overall biodiversity or landscape  
18 objective?

19 A. Yes, so then that there is some way  
20 that you would define those other objectives.

21 Q. Let's turn to that very issue, and  
22 with respect to holistic or landscape planning  
23 approaches, have you had an opportunity to read an ESSA  
24 report entitled: A Plan of Research into the Effects  
25 of Timber Management on Wildlife.

1 MR. LINDGREN: This is Exhibit 1714,  
2 Madam Chair, and it's dated January 29th, 1991. It's  
3 the report that we filed as part of FFT Panel 9.

4 MR. NEAVE: No, I have not.

5 MR. LINDGREN: Q. Have you read it  
6 before?

7 MR. NEAVE: A. No, I have not seen it  
8 before.

9 MR. O'LEARY: Did you indicate you saw  
10 that, Mr. Neave?

11 MR. NEAVE: No, I have not.

12 MR. LINDGREN: Q. So for the purposes of  
13 preparing your evidence on landscape management, you  
14 didn't read this report?

15 MR. O'LEARY: I wonder, Madam Chair, if  
16 it would be appropriate to ask Mr. Lindgren at what  
17 point he advised us that he was going to cross-examine  
18 on this document.

19 MR. LINDGREN: Well, Madam Chair, I spoke  
20 to Mr. Neave earlier and I indicated that I had one  
21 question on page 3 to put to him.

22 I would say the same question can be  
23 asked of my friend Mr. O'Leary reserved, when did he  
24 discover that he was going to file all the paper that  
25 was filed this morning and yesterday that I have never

1 seen before, but we'll leave that one for another  
2 discussion.

3 Q. Mr. Neave, can I ask you to turn to  
4 page 3 of the ESSA report.

5 MR. NEAVE: A. Right.

6 Q. There we see an indication that the  
7 authors indicate that:

8 "...the definition of wildlife has to be  
9 extended beyond vertebrates."

10 And I take it, is that something that you  
11 would agree with?

12 A. Very much so.

13 Q. And I'm not going to ask you to turn  
14 to it, but that is the first strategy that is  
15 recommended in Exhibit 2065, and again I take it you  
16 would endorse that strategy?

17 A. That's the same as the strategy and  
18 it's also the same as the Wildlife Policy.

19 Q. All right.

20 MADAM CHAIR: Mr. Lindgren, which page  
21 was that in Exhibit 1714?

22 MR. LINDGREN: Page 3.

23 MADAM CHAIR: Page 3, okay. And  
24 whereabouts on page 3?

25 MR. LINDGREN: Right in the middle of the

1 page.

2 MADAM CHAIR: Can you read that sentence  
3 for us again?

4 MR. LINDGREN: "There's an indication  
5 that the definition of wildlife has been  
6 extended to include all species of  
7 terrestrial animals (309 species of  
8 vertebrates) plus numerous invertebrate  
9 species including soil, organisms and  
10 plants.

11 MR. MARTEL: Ah. When you move from that  
12 document, you moved to what, Mr. Lindgren?

13 MR. LINDGREN: I was trying to avoid the  
14 paper chase, Mr. Martel.

15 MR. MARTEL: Yes, but you don't avoid it  
16 if I'm not sure where you're going, I can't follow it.  
17 I didn't stay up last night reading this.

18 MR. LINDGREN: Okay. Neither did I, Mr.  
19 Martel. But at page 8 of the summary, you see Strategy  
20 No. 1, it says:

21 "The Government of Ontario should adopt a  
22 comprehensive definition of wildlife."

23 And this working group recommended the  
24 following definition:

25 "Wildlife means all wild mammals, birds,



1 reptiles, amphibians, fishes,  
2 invertebrates, plants, fungi, algae, bacteria and other  
3 wild organisms."

4 Q. And, again, that would be something  
5 that you would endorse, Mr. Neave?

6 MR. NEAVE: A. Yes.

7 MR. MARTEL: Wonderful.

8 MR. NEAVE: And that's consistent with  
9 this Wildlife Policy for Canada.

10 MR. LINDGREN: Q. And perhaps you can  
11 explain why that's necessary, why would a broad  
12 definition of wildlife be necessary?

13 MR. NEAVE: A. I'm trying to understand  
14 why you would say why. Wildlife to many of us has  
15 always included the entire spectrum of living plants  
16 and animals.

17 In a narrow sense within governments it  
18 has become, in fact it was only 34 years ago the words  
19 were linked, it used to be wild life and in the United  
20 States they linked it together to one term and it  
21 became very narrow in terms of commercial species, but  
22 as a biologist, as a trained biologist you consider all  
23 living animals and plants, only governments that really  
24 focus on a few species.

25 Q. And when we see the word 'wildlife'

1 appear in your witness statement, I take it that you're  
2 using it in the broader sense?

3 A. That's correct.

4 Q. Right. Well, since we're -- do you  
5 have this document in front of you, Looking Ahead, A  
6 Wildlife Strategy, Exhibit 2065?

7 A. Yes, I do.

8 Q. Can I ask you to turn to page 9 and  
9 there we see Strategy No. 8:

10 "It's recommended that Ontario adopt  
11 an ecological land classification  
12 system."

13 And perhaps you can take my word for it,  
14 that's what Exhibit 1714 also says.

15 MR. O'LEARY: Sorry, what's Exhibit 1714  
16 again?

17 MR. LINDGREN: The ESSA Report on the  
18 very issue of ecological land classification and  
19 landscape management.

20 MR. O'LEARY: Are you putting a question  
21 in that form to this witness.

22 MR. LINDGREN: I'm about to put a  
23 question if Mr. O'Leary would permit me.

24 Q. The question is simply this: Would  
25 an ecological land classification system be desirable

1 in Ontario for the purposes of landscape managing and  
2 planning?

3 MR. NEAVE: A. It would be a very useful  
4 component. It's certainly a recommendation of a large  
5 number of scientists across Canada, it's not required,  
6 but it would certainly be a very useful attribute to  
7 develop a program.

8 MR. LINDGREN: Perhaps I can pose two  
9 more questions on this document and then we will be  
10 finished with this and take a break.

11 MADAM CHAIR: Okay, Mr. Lindgren.

12 MR. LINDGREN: Q. Can I ask you to turn  
13 to page 11, and we see the upper righthand side of the  
14 page Strategy No. 24, which is a recommendation to:

15 "Maintain wildlife habitat diversity on  
16 forested lands."

17 Strategy 25:

18 "Rehabilitate degraded wildlife habitat  
19 on forested lands."

20 Do you agree with both of those  
21 recommendations?

22 MR. NEAVE: A. Yes.

23 Q. And finally, can I ask you to turn to  
24 page 83, and on the upper righthand corner of the page  
25 we see a quotation set in a box. The quotation says:

1 "Integrated planning which must account  
2 for all forest values is a principal step  
3 in an ecosystem approach to forest  
4 management,"

5 I take it you would support that  
6 statement, or do you agree with it?

7 A. No, I'm a very strong believer in  
8 both integrated resource planning and also integrated  
9 land use planning.

10 Q. Do you believe that the ecosystem  
11 approach to forest management is something that we  
12 should be attempting to develop and implement here in  
13 Ontario?

14 A. I don't think there's any option. I  
15 think the public is demanding by biodiversity as a  
16 principle for all activities.

17 MR. LINDGREN: Thank you, Mr. Neave.

18 This would be an appropriate time for the  
19 break, Madam Chair.

20 MADAM CHAIR: Thank you. The Board will  
21 be back in 20 minutes.

22 ---Recess taken at 2:40 p.m.

23 ---On resuming at 3:00 p.m.

24 MADAM CHAIR: Please be seated.

25 Mr. Lindgren.



1 MR. LINDGREN: Thank you, Madam Chair.

2 Q. Mr. Neave, I've had an opportunity to  
3 review your article which has been marked as Exhibit  
4 2064, and without getting into any particular passage,  
5 I'm wondering if I can fairly summarize it.

6 Is your central message that we need to  
7 ensure the production and protection of sustainable  
8 forested landscapes?

9 MR. NEAVE: A. No. My basic thesis is  
10 there are a number of expectations in the forest and we  
11 need to define what those expectations are in some  
12 manner so that we can all have one vision.

13 Parts of those forests will provide  
14 benefits, not necessarily all of the forests, but  
15 certainly part of them will provide benefits, and they  
16 have to be in a sustainable manner.

17 Q. Well, that's what I'm getting at, the  
18 overall objective is sustainability of the resource  
19 base?

20 A. Right.

21 Q. Is it fair to say that's the  
22 essential message of the draft strategy prepared by the  
23 National Forest Strategy Steering Committee--

24 A. Yes.

25 Q. --I mean, the overall objective is

1 sustainability?

2 A. Yes.

3 Q. Can we agree that neither the  
4 steering committee nor yourself have said that timber  
5 management or timber management planning is the only  
6 vehicle to achieve the sustainability objective?

7 A. I agree with you, yes.

8 Q. So, in other words, timber management  
9 is not the only way to get at sustainability?

10 A. You take parks, for example, as one  
11 particular -- is that what you're referring to, is it,  
12 other types of activities?

13 Q. Well, I'm wondering about other types  
14 of integrated land use approaches like forest  
15 management planning. Forest management planning would  
16 be another vehicle that you could achieve  
17 sustainability.

18 A. I don't quite understand how you  
19 define that.

20 Q. Well, I guess the point I'm trying to  
21 make is this: Your article does not endorse timber  
22 management planning; i.e., the four activities--

23 A. Right.

24 Q. --as the only way to achieve  
25 sustainability of the resource base.

1 A. That's correct.

2 Q. And, in fact there, are other  
3 approaches which are integrated, such as forest  
4 management planning that may produce sustainability as  
5 well?

6 A. Okay.

7 Q. So you agree with that statement. Is  
8 that a yes?

9 A. Yes. I have some difficulty with  
10 what you mean by forest management planning, but  
11 definitely we need a plan for all the objectives and  
12 all the interests in the forest. If that's what you  
13 mean, yes.

14 Q. Dr. Quinney, perhaps I can turn  
15 briefly to you. I have a few questions for you,  
16 however, most of the issues I would like to address  
17 with you come up again in Panel 6 and Panel 7 and Panel  
18 9, so I think I'll defer most of my questions to those  
19 panels.

20 But in terms of your own experience and  
21 expertise, can you confirm for me that you have never  
22 drafted a timber management plan in Ontario?

23 DR. QUINNEY: A. I have never drafted a  
24 timber management plan, that's correct.

25 Q. And I guess no one in this room

1 should be surprised, that's primarily because you're  
2 not a forester.

3 A. I'm not a forester. I have had input  
4 to timber management plans, input to other land use  
5 planning decisions.

6 Q. I take it that you might have had  
7 input into wildlife management plans, but you have  
8 never sat down and drafted a wildlife management plan  
9 for the Ministry of Natural Resources?

10 A. Correct.

11 Q. Now, we heard a few moments ago from  
12 Mr. Neave that he regards HSA as only a tool and it's  
13 not an end in and of itself. Do you agree with that  
14 view?

15 A. HSA, in my opinion, is a vital and  
16 available tool.

17 Q. So you're agreeing with Mr. Neave's  
18 view?

19 A. That it's an important -- if the view  
20 was, yes, it is an important tool.

21 Q. Do you agree with Mr. Neave's view  
22 that single species management by itself is not enough  
23 to ensure the maintenance of biodiversity in this  
24 province?

25 A. I do and I'm going to address that



1 fully in Panel 6.

2 Q. Okay, thank you. Now, I've had an  
3 opportunity to look at Exhibit 2062, which is your  
4 schematic for your proposed timber management planning  
5 process, and I'm aware that you're going to be dealing  
6 with this in Panel 9, I'm not going to ask you any  
7 technical questions on how this is proposed to operate,  
8 but I want to put one question to you right now for  
9 clarification.

10 I take it you have had an opportunity to  
11 review the Illing Report?

12 A. Yes.

13 Q. And in the Illing Report there seems  
14 to be a consensus amongst the parties, including  
15 OFAH/NOTO that there is going to be a four-stage  
16 planning process; correct?

17 A. Well, to be honest, I'm not -- I  
18 don't know specifically what you're referring to.  
19 Could you be more specific for me.

20 Q. Okay. Under topic 4 in the Illing  
21 Report -- I don't know if you have a copy of that.

22 A. Sorry, I don't.

23 MADAM CHAIR: Which page?

24 DR. QUINNEY: Which page would you refer  
25 me to?

1 MR. LINDGREN: Q. Well, it's been  
2 organized in tabular form and I'm looking at topic 4  
3 which is entitled: Public Consultation in the  
4 Preparation of Timber Management Plans which is found  
5 well into the document.

6 I'll just give you my copy. And we  
7 see -- does the Board have this?

8 MADAM CHAIR: Yes, we do, Mr. Lindgren.

9 MR. LINDGREN: Q. We see a description  
10 of what Stage 1 will entail on the first page of topic  
11 4, we see a reference to Stage 2, Stage 3, Public  
12 Consultation and Stage 4, and that is something  
13 presumably that the OFAH/NOTO Coalition agrees with  
14 because you've signed on to the report.

15 And I'm just wondering, for the purposes  
16 of clarification, is that four-stage process reflected  
17 in your schematic in Exhibit 2062 and, if it is, can  
18 you please explain to me how?

19 DR. QUINNEY: A. No, it's not. The  
20 four-stage public consultation process that you're  
21 referring to is not fully explained in that schematic.

22 What we were, or what I was trying to do  
23 with the Board yesterday morning was simply give them  
24 an overview, and I will be addressing that specifically  
25 in Panel 9, as will the rest of Panel 9.

1 Q. Well, at this time can I ask you to  
2 provide an undertaking to provide a written explanation  
3 as to how Exhibit 2062 fits into the four-stage process  
4 described in the Illing Report. Is that a reasonable  
5 request?

6 A. Mm-hmm.

7 Q. Could I receive that prior to your  
8 testimony in Panel 9? That's yes?

9 A. Mm-hmm. Oh yes, sorry.

10 MR. LINDGREN: Thank you, Madam Chair.  
11 Those are my questions for this panel.

12 MADAM CHAIR: Thank you, Mr. Lindgren.

13 MR. O'LEARY: Just so I was clear on the  
14 undertaking, you want us to describe how the four-stage  
15 approach fits into Exhibit 2062 or how it fits in with  
16 the evidence that you will hear in Panel 9?

17 MR. LINDGREN: Well, presumably your  
18 evidence in Panel 9 is not going to be at variance with  
19 what is in Exhibit 2062.

20 MR. O'LEARY: Well, the one is not as  
21 detailed as the other.

22 MR. LINDGREN: All I want to know, all I  
23 want is an explanation of how the OFAH proposal,  
24 whether its depicted here or in Panel 9, how that fits  
25 with what the parties apparently agreed to in terms of

1 the four-stage process for public consultation.

2 MR. O'LEARY: Okay, all right.

3 MADAM CHAIR: Mr. Freidin.

4 CROSS-EXAMINATION BY MR. FREIDIN:

5 Q. Let's warm up with a couple of just  
6 minor little matters. Exhibit No. 2065 is the Wildlife  
7 Strategy for Ontario. I think Dr. Quinney -- well,  
8 which one of you wants to answer questions about this  
9 document, the nature of it.

10 All right, Dr. Quinney.

11 DR. QUINNEY: A. That depends on the  
12 question I guess you would like to ask me.

13 Q. Would you turn to page 155.

14 A. Yes.

15 Q. And in terms of -- can I just have  
16 one moment. I'm sorry, page 150.

17 A. Oh, page 150.

18 Q. It indicates at the very last  
19 paragraph that this particular document is not a final  
20 report, that it will provide a stimulus for debate for  
21 rethinking and defining of some of the ideas it  
22 contains.

23 A. Mm-hmm.

24 Q. And it serves as a foundation on  
25 which future policy and action can be built. That's



1 the nature of the document?

2 A. Yes.

3 Q. All right. So it shouldn't be taken  
4 as Ontario's Wildlife Strategy, it's a report of a  
5 working group about how one might develop such a  
6 strategy and such things that it should look at?

7 A. I'm sorry, Mr. Freidin, you were  
8 going a little fast. It seems to me there were a  
9 number of questions.

10 Q. Let me try to make it short. It  
11 says:

12 "This document will serve as a foundation  
13 on which future policy and action can be  
14 built."

15 Would you agree, sir, that this document  
16 is not a policy of the Ontario Government at the  
17 present time?

18 A. I agree.

19 Q. All right. So it's not Ontario's  
20 Wildlife Strategy, it's a report about that subject  
21 matter by a working group which was put together by the  
22 Ministry of Natural Resources?

23 A. Yes.

24 Q. Thank you. Dr. Quinney, when you're  
25 doing planning, is it important to know or define what

1 the purpose of your planning is?

2 A. Yes.

3 Q. And would you agree, sir, that the  
4 focus of your planning or your planning exercise would  
5 be affected by the purpose of the planning exercise?

6 A. Yes.

7 Q. Could you give me some brief  
8 description or explanation of why or how the focus of  
9 the planning exercise could be affected by the purpose  
10 of the planning exercise?

11 A. Yes. An example would be part of  
12 what this document was about.

13 Q. This document, referring to Exhibit  
14 2041 -- pardon me, 2065?

15 A. The Wildlife Strategy for Ontario.  
16 An example would be that the wildlife working group's  
17 purpose was to develop strategies for wildlife,  
18 terrestrial wildlife largely in Ontario; they weren't  
19 addressing, for example, fisheries strategies.

20 Q. So in that particular example the  
21 very factors and subject matters which were being  
22 addressed were affected by the purpose; in one case  
23 they were looking at wildlife, in the other case they  
24 were looking at fisheries matters?

25 A. Yes.

1 Q. Could you please turn to your terms  
2 and conditions, the Coalition's terms and conditions, I  
3 believe it's Exhibit 1637.

4 Would you turn to the page No. 1. You  
5 state -- have you got that? You state in term and  
6 condition No. 3 that:

7 "The stated goal of each timber  
8 management plan shall be to provide a  
9 predictable supply of resource benefits  
10 from the forest estate through management  
11 of the forest structure."

12 Is it fair for me to insert the word  
13 'purpose' for the word 'goal', so that it would say  
14 that, the stated purpose of each TMP shall be as  
15 indicated there?

16 A. I believe I would use, in this  
17 context, goal and purpose synonymously.

18 Q. All right. Would you agree, sir,  
19 that the stated purpose of each timber management plan  
20 as set out in the Coalition's terms and conditions is  
21 different than the purpose of the undertaking of timber  
22 management as defined in the Class Environmental  
23 Assessment which has been submitted by the proponent.

24 A. Is...?

25 Q. Is the purpose of the undertaking,

1     which is to provide a continuous and predictable supply  
2     of wood to Ontario forest products industry different  
3     than the purpose of each timber management plan as  
4     you've set it out in term and condition 3?

5                     It seems like a simple question.

6                     MR. MARTEL: You lost me a little because  
7     you changed from, I think, the overall forest in the  
8     first question--

9                     MR. FREIDIN: Let me repeat it then.

10                    MR. MARTEL: --to individual units.

11     Maybe I misunderstood you too.

12                    MR. FREIDIN: Let me repeat it. I don't  
13     want to be unclear to anybody, Mr. Martel.

14                    MR. MARTEL: Okay.

15                    MR. FREIDIN: Q. I'm suggesting to you,  
16     Dr. Quinney, that the purpose of the undertaking which  
17     is timber management planning--

18                    DR. QUINNEY: A. Yes.

19                    Q. --and the purpose of your timber  
20     management plans, as you've set it out, are different.

21                    A. I don't necessarily think they are  
22     because what we have said in the terms and conditions  
23     is that the goal, the given goal for any timber  
24     management plan in this province is going to be such  
25     and such.



1 Q. That's what you say.

2 A. Yes.

3 Q. Would you agree, sir, that there is a  
4 difference between saying, the purpose of preparing  
5 timber management -- you've got two people, this guy  
6 over here says, I'm going to prepare a timber  
7 management plan and the purpose of doing that is to  
8 provide a continuous and predictable supply of wood  
9 fiber to Ontario forest products industry - that's what  
10 the one guy says - and other guy says, I'm going to  
11 prepare a timber management plan too, but my purpose is  
12 going to be provide a predictable supply of resource  
13 benefits from the forest estate through management of  
14 the forest structure.

15 Now, it seems to me that those two people  
16 are both going to prepare a timber management plan, but  
17 they're going to be doing so for a different purpose.

18 A. Well, I would say, Mr. Freidin, that  
19 in the goal statement that we have laid out there the  
20 phrase 'through management of the forest structure' is  
21 directly referring to the activities of harvest,  
22 renewal, tending, protection and access, exactly the  
23 same activities that are used in the one example you  
24 gave, supply wood.

25 Q. I would suggest to you that there is

1 a difference between setting out in a planning process  
2 trying to determine, trying to determine what you want  
3 to supply in terms of those other resource benefits  
4 and, on the other hand, trying to determine how you're  
5 going to go about determining how much and how you're  
6 going to get wood to the mills and how that might  
7 affect non-timber values. I see that as two different  
8 things.

9 Can you comment.

10 A. I'm sorry, but do you have a question  
11 there?

12 Q. Well, I thought it was a question. I  
13 put a proposition to you and I wanted to know whether  
14 you agree with it.

15 Let me put it this way. Let me try it  
16 this way, Dr. Quinney. I understand that you're  
17 critical of the planning process put forward by the  
18 Ministry of Natural Resources?

19 A. Yes.

20 Q. Because it does not, or it is not a  
21 process designed to provide a predictable supply of  
22 resource benefits from the forest estate. Do you agree  
23 with that? That's one of the basis--

24 A. Yes.

25 Q. --upon which you're critical?

1 A. Yes.

2 Q. All right. So if the Ministry of  
3 Natural Resources' planning process does not do that,  
4 all right, and assume for the moment it was intended  
5 that way, then the purpose of a timber management plan  
6 as you've defined it in term and condition 3 is  
7 different than the purpose of timber management or the  
8 undertaking as put forward by MNR; do you agree?

9 A. If MNR is saying that the sole  
10 purpose of timber management activities is to deliver  
11 wood, our goal statement is certainly different than  
12 that.

13 Q. Okay. Now, if your goal statement or  
14 your purpose -- pardon me, and is the planning process  
15 which OFAH and NOTO has put forward one which has been  
16 designed to achieve the purpose as stated in term and  
17 condition 3?

18 A. Would you quickly repeat that one for  
19 me.

20 Q. Is the planning process designed by  
21 the Coalition as set out in your terms and conditions  
22 one which has been designed to achieve the stated  
23 purpose in term and condition 3?

24 A. Yes, it is.

25 Q. If the stated purpose of preparing a

1 timber management plan is different, I take it from the  
2 very first answer you gave to me about the purpose, if  
3 the purpose of the planning exercises are different,  
4 then the planning process which one would need to  
5 design would be different?

6 A. We require, we require a change in  
7 the MNR planning process--

8 Q. Okay.

9 A. --to achieve our goal.

10 Q. You need a change in the purpose,  
11 because as I understand what you've said, one of the  
12 major criticisms you have of the Ministry's process is  
13 it doesn't have the purpose of providing a predictable  
14 supply of resource benefits. Isn't that the bottom  
15 line?

16 A. That is a problem with MNR's as far  
17 as I'm concerned, yes.

18 Q. So is that one of the reasons we see  
19 such a big difference between your planning process and  
20 the one which has been put forward by the proponent,  
21 one of the reasons for the big difference is that your  
22 planning process is designed to achieve a different  
23 purpose than the purpose as stated by the proponent?

24 A. I'm not sure that's the case, Mr.  
25 Freidin, because in MNR's current planning process



1 and -- current planning process and their terms and  
2 conditions they are saying that other forest based  
3 resources will be, for example, protected or in some  
4 cases looked after.

5 MADAM CHAIR: How far are we going with  
6 this, Mr. Freidin? As you recall two years ago we  
7 heard extensive argument on--

8 MR. FREIDIN: Oh, we surely did, but now  
9 I think it's coming home to roost.

10 MADAM CHAIR: --how to define the purpose  
11 of the undertaking. It's very clear to the Board that  
12 the Coalition would have a different purpose than the  
13 stated two-line purpose in the Ministry's Class EA.

14 MR. FREIDIN: All right.

15 Q. I think there's one more question.  
16 Dr. Quinney, if the Board were to find that the purpose  
17 of the undertaking and, therefore, the purpose of a TMP  
18 should be the purpose as stated by the proponent, to  
19 supply a continuous and predictable supply of wood to  
20 Ontario's forest products industry, all right, are you  
21 able to identify what parts of your planning process  
22 would fall off the table on the basis that it is  
23 dealing with a different purpose?

24 DR. QUINNEY: A. Well, if I heard you  
25 correctly, Mr. Freidin, the Coalition is specifically

1 asking the Board that each timber management plan in  
2 this province from here after will have the goal stated  
3 in our term and condition No. 3.

4 MR. MARTEL: Could I ask a question  
5 before we go on, because I think we ruled two years ago  
6 after a lengthy motion brought forward by--

7 MADAM CHAIR: The OFAH.

8 MR. MARTEL: --the OFAH that the purpose  
9 of the undertaking was, in fact, that put forth by the  
10 Ministry of Natural Resources --or Mr. Freidin on  
11 behalf of the Ministry of Natural Resources.

12 There was a major ruling on that which  
13 took, I think we spent two or three days on that, and  
14 it's just the back door to getting to where you wanted  
15 before. Is it just coming at it a different way, Mr.  
16 Quinney, I guess I'm asking you -- Dr. Quinney, pardon  
17 me.

18 DR. QUINNEY: No, sir.

19 MR. O'LEARY: May I ask, Madam Chair--

20 MADAM CHAIR: Mr. O'Leary.

21 MR. O'LEARY: --whether Dr. Quinney knows  
22 the result of that.

23 MR. MARTEL: He was there, I believe.

24 DR. QUINNEY: I don't think I was for the  
25 argument itself.

1 MR. FREIDIN: Well, I think I fairly  
2 summarized it. It was basically the Board's rule that  
3 the purpose of the undertaking could not be changed, it  
4 would stay exactly as it was worded by the proponent.

5 Now, what I'm suggesting to you through  
6 all of this questioning is that you, in fact, have  
7 not -- your terms and conditions reflect a disregard  
8 for that order of the Board because you have, in fact,  
9 now quite unequivocally said to me and to the Board  
10 that the purpose of every timber management plan shall  
11 be something different than the stated purpose of a  
12 timber management plan as defined by the proponent.

13 And so I suggest to you that the  
14 Coalition is doing exactly what Mr. Martel has  
15 suggested, that you have avoided the order and you're  
16 raising the matters and have designed a planning  
17 process which is directed at a purpose that you have  
18 been told is not the purpose before the Board. That's  
19 where I'm coming from.

20 MR. NEAVE: In this moment of silence  
21 might I ask a question?

22 MR. MARTEL: Sure.

23 MR. FREIDIN: Q. Well, I would like Dr.  
24 Quinney, he's the representative from OFAH and he's  
25 been involved for a long time, I would like his answer

1 to this question.

2 MR. O'LEARY: Madam Chair, it sounds like  
3 it's a legal procedural question and I'm somewhat at a  
4 historical disadvantage not having had the pleasure of  
5 participating in that argument.

6 MADAM CHAIR: You mightn't be no clearer  
7 had you been there, Mr. O'Leary. That is how these  
8 things go sometimes.

9 MR. O'LEARY: I won't respond to that,  
10 but my concern is that it is a procedural legal  
11 question that's being put to Dr. Quinney, and I'm not  
12 quite certain, but if I interpret what Mr. Freidin is  
13 saying, is that there is some sort of different  
14 proposal put forward, and that's not what has happened  
15 here, it's the same thing, the same objectives except  
16 it's being achieved in a different manner. It's the  
17 methodology that's being put forward as...

18 MR. FREIDIN: Let's not argue about it.  
19 I think the point is made. I've asked the questions.  
20 We will move on, we will deal with it in argument.

21 MR. O'LEARY: It sounds like you're  
22 rearguing the motion.

23 MR. FREIDIN: Q. Let me move on. Have  
24 you still got your terms and conditions open, Dr.  
25 Quinney.



1 If we look at term and condition No. 4 it  
2 says that:

3 "The ultimate objective...", I take it  
4 this is the ultimate objective of every timber  
5 management plan?

6 DR. QUINNEY: A. Mm-hmm.

7 Q. "...shall be to strive for an optimum  
8 mix of resource benefits which shall be  
9 decided for each forest management unit  
10 through the processes very briefly  
11 described in 1 and 2."

12 A. Mm-hmm.

13 Q. Then in term and condition No. 5, you  
14 talk about:

15 "The timber management plan shall contain  
16 measurable quantified objectives...", and  
17 I think this is going to address an issue that Mr.  
18 Martel raised about, what do you quantify, how much do  
19 you quantify,

20 "...all timber management plans shall  
21 contain measurable quantified  
22 objectives--"

23 A. Mm-hmm.

24 Q. "...over the next rotation..."

25 A. Mm-hmm.

1 Q. --It's a long period of time?

2 A. Mm-hmm.

3 Q. "...of the forest for the principal  
4 benefits predicted to be supplied by the  
5 proposed timber management activities."

6 And then you list a whole seven separate  
7 items where you must quantify, make quantifiable  
8 predictions?

9 A. Mm-hmm.

10 Q. Now, in terms of timber supply we've  
11 heard lots of evidence about that, but just going to  
12 No. 2 I take it what you're saying then is that a  
13 timber management plan must quantify population levels  
14 for all featured wildlife species and that means  
15 predict the population levels?

16 A. Also desired population levels.

17 Q. All right. And do you have to then  
18 predict over the next rotation what that population  
19 level will be, what it will be a hundred years from  
20 now?

21 A. Mm-hmm, just as you would -- sorry  
22 just as you do in wood supply.

23 Q. Right. And you would have to do  
24 that, in your case, for at least the four featured  
25 species that you've referred to marten, pileated

1 woodpecker, moose and deer?

2 A. Yes.

3 Q. And if you turn the page to page 2  
4 where you say that:

5 "You must also in a timber management  
6 plan have a quantifiable objective over  
7 the rotation for...", let's stop at the  
8 back,

9 "...aesthetics", are you saying in the  
10 terms and conditions that a timber management plan must  
11 quantify, make a prediction as to how the forest  
12 structure over a rotation, let's say a hundred years,  
13 let's pick a hundred years, is going to affect  
14 aesthetics?

15 A. Yes, and the details of how we would  
16 envision that will be handled, will be presented in  
17 Panel 8.

18 Q. But you've got to predict a hundred  
19 years into the future and you've got to do that for  
20 canoeing, for camping, for viewing, for fishing, for  
21 hunting. I'm just taking your words.

22 A. Mm-hmm, mm-hmm.

23 Q. And I take it you think, Dr. Quinney,  
24 that it is reasonable to sit down at day one and make a  
25 prediction about the kind of viewing, camping and

1 canoeing opportunities which are going to be created by  
2 your forest structure a hundred years from now?

3 A. Yes, in the same, basically the  
4 analogous manner that is now done for wood supply,  
5 that's correct.

6 Q. You don't think that those sort of  
7 things are affected by so many different factors --

8 A. So is wood supply, Mr. Freidin.

9 Q. Are you telling me that those things  
10 are -- I'm suggesting there are a lot of factors which  
11 affect those things which make it misleading, if not  
12 irresponsible, I believe, to tell the public at day one  
13 that such a prediction has got any useful purpose at  
14 all when you're talking about those sorts of things?

15 A. I strongly disagree. It is not  
16 irresponsible. As I said, the details of that  
17 particular example will be given in Panel 8.

18 Clearly, Mr. Freidin, the activities --  
19 timber management activities of harvest, renewal, et  
20 cetera, et cetera, are changing forest structure over  
21 time, over long time horizons, and, yes, projections of  
22 the impacts on things like tourism and recreational  
23 opportunities can be made, it can be done.

24 And keep in mind, yes, there is a  
25 projection over what we are calling forest projection



1 over an entire rotation, but I would remind you that  
2 those projections are already made for wood supply.

3 Q. We had a discussion -- there was a  
4 discussion between the Board and both of you gentlemen  
5 about the differences between projecting what would  
6 happen in terms of trees which happen to be in the spot  
7 on the ground and then dealing with animals which  
8 happened to be a little bit more mobile, and I would  
9 suggest to you that in terms of things like viewing,  
10 camping and canoeing are about as difficult to predict  
11 as what the future holds for all those things as this  
12 wildlife that moves all over.

13 Assuming for the moment there's a  
14 difference between modeling trees and modeling  
15 wildlife, I suggest to you there's a big difference  
16 between modeling for trees and modeling for all these  
17 other benefits that you refer to in item No. 6?

18 A. Yes, there is a difference and, yes,  
19 some of these may very well be more complicated  
20 exercises than wood supply, but that is not to say they  
21 aren't trackable, that is not to say it's not possible,  
22 because it is.

23 Q. Okay. Well, thank you for that, your  
24 opinion on that.

25 Could you pull out the exhibit which has

1 your planning process, Exhibit 2062.

2 MR. MARTEL: Exhibit what?

3 MR. FREIDIN: 2062, this document.

4 Q. And could you turn, please, to page  
5 4. On that page you have a depiction of the bottom  
6 up/top down planning sequence.

7 A. Mm-hmm.

8 Q. And when you're referring to  
9 production possibilities in that particular exhibit, am  
10 I correct you're referring to the benefits which are  
11 described in your term and condition No. 5?

12 A. Yes, those are examples, those are  
13 examples in 5 of resource production possibilities.

14 Q. And those are the resource production  
15 possibilities that you say must be, in fact, included  
16 in every timber management plan; is that correct?

17 A. Yes.

18 Q. You're not proposing any other ones  
19 at the present time?

20 A. No.

21 Q. Okay. And this particular bottom  
22 up/top down planning sequence results in a definition  
23 at the various level of the mixes of benefits that are  
24 to be achieved at the various levels?

25 A. Yes. Would you repeat that for me,

1 please.

2 Q. These production possibilities  
3 indicate the mix of benefits?

4 A. Ah yes.

5 Q. As a result of this top down, once it  
6 gets to the top somebody decides what the mix of  
7 benefits is going to be and it works it's way back down  
8 the ladder and people go out and try to achieve those?

9 A. How it would work is, is starting at  
10 the local level what's possible is described and a  
11 local preference at the FMU level is stated and, yes,  
12 that is the bottom part of the bottom up/top down.

13 Q. All right. You referred to regional  
14 objectives, district objectives?

15 A. Mm-hmm, mm-hmm.

16 Q. Are those the objectives that we see  
17 reflected in strategic land use plans and district land  
18 use guidelines, given the Ministry's planning system?

19 A. Well, what we are saying is, from the  
20 FMU level, the district may have priorities on a  
21 district basis, the region may have priorities, and  
22 they will have to be taken into account, perhaps  
23 incorporated, yes.

24 Q. But given the existing planning  
25 system of the Ministry of Natural Resources, do you

1 agree that the regional objectives are reflected in  
2 strategic land use plans and district objectives are  
3 reflected in district land use guidelines as a result  
4 of a bottom up/top down analysis?

5 A. No, that is where I have some  
6 difficulty, because it's my understanding from, for  
7 example, the district land use guidelines or even the  
8 strategic land use guidelines there may very well be a  
9 target in there, for example, a moose target at the,  
10 for example, district level that at this point I can't  
11 tie to, for example, the land base on an FMU level.

12 Q. Okay. Let's start with a clean  
13 slate. I want to understand the thinking or the theory  
14 behind your planning process.

15 You start with a clean slate, and  
16 assuming we've got the same planning system in MNR that  
17 exists today, would you agree that you would see a  
18 reflection of this bottom up/top down planning  
19 sequence, as it came down, you would see a reflection  
20 of the regional mix of benefits to be achieved in a  
21 strategic land use plan?

22 A. That would be analogous.

23 Q. And you would see the mix of benefits  
24 to be achieved at the district level reflected in a  
25 district land use guideline?



1 A. The types of objectives--

2 Q. Right.

3 A. --at the district level.

4 Q. Right.

5 Q. Now, in, I believe it's Ministry of  
6 Natural Resources Interrogatory 10, Exhibit 2061, you  
7 indicate at page 37, the way mine is numbered.

8 A. Sorry, we're at page 37 of my  
9 interrogatory responses?

10 MR. O'LEARY: Question number...?

11 MR. FREIDIN: 10.

12 MR. O'LEARY: Of the exhibit. I think  
13 that's 35.

14 MR. FREIDIN: Q. All right. The page  
15 numbers I assume are these little numbers at the top  
16 righthand corner. Yes, I'm looking at the numbers in  
17 the top righthand corner.

18 MADAM CHAIR: You're looking at the third  
19 page to Interrogatory No. 10, Mr. Freidin.

20 MR. FREIDIN: It's the last page just  
21 before number 11. I'm sorry, I don't have that.

22 MR. O'LEARY: Oh okay. Then it is page  
23 37.

24 MR. FREIDIN. Q. Page 37, it says:

25 "Government policies and legislation can

1                   restrict the scope of potential conflict  
2                   amongst segments of the public but this  
3                   type of conflict is unavoidable at some  
4                   level."

5                   Now, you indicated when you were giving  
6                   evidence about Exhibit 2062 and you were referring to  
7                   page 5 that the Minister could in fact make a  
8                   decision - I don't remember whether you described it as  
9                   policy or not - but he could make a decision that  
10                  caribou would be managed in a certain way and that  
11                  would come down here and become a constraint for what  
12                  could happen at the local level; is that right?

13                  DR. QUINNEY: A. Oh, the Minister can  
14                  definitely provide a direction on what would happen at  
15                  the local level.

16                  Q. And when you say:

17                  "Government policies and legislation can  
18                  restrict the scope of potential  
19                  conflict...", are you including in that broad term  
20                  directions from the Minister?

21                  A. Yes.

22                  Q. You also make a comment in  
23                  Interrogatory 15 at page 40 in subparagraph (a), you  
24                  indicate in the last sentence that:

25                  "These local impacts...", once you've

1 done a certain portion of your planning,

2 "...should be compared to district,  
3 regional and provincial objectives in  
4 order to gain an appropriate perspective  
5 to make a local management decision."

6 A. Yes.

7 Q. Now, first of all, I note in page No.  
8 5 of Exhibit 2062 you don't refer to direction, policy  
9 or decisions which may be made during land use  
10 planning; in other words, if you look at the Minister  
11 and you come over to the left and you come down to  
12 local goals and targets, you left out land use  
13 planning. Is there any reason that you have done that?

14 A. I think it's important that the  
15 Coalition's terms and conditions associated with this  
16 entire diagram be brought to bear.

17 I'm just going to -- I was going to leave  
18 that until Panel 9 because in our terms and conditions  
19 we devote a considerable amount of space to describing  
20 the various levels of consultation, for example, the  
21 local citizens committee and, at the regional level,  
22 what we have termed an integrated resource users  
23 committee at the regional level, and at the provincial  
24 level, a senior policy committee where, again, the  
25 public is represented at provincial level.

1 Q. All right.

2 A. So there is, there is to the Minister  
3 there is local input, there is regional input, there is  
4 provincial input.

5 Q. But the regional input you're talking  
6 about is discussions of what's been planned for a  
7 specific timber management plan?

8 A. Oh, but...

9 Q. It's not land use planning at the  
10 district or the regional level; is it?

11 A. But the MNR...

12 Q. Is it?

13 A. But the MNR members on that  
14 integrated resource users committee that is -- sorry,  
15 I'd have to look specifically at the terms and  
16 conditions, but MNR policy would be made known to that  
17 integrated resource users committee at the regional  
18 level.

19 Q. What effect, if any -- let's talk  
20 about my theoretical starting with a blank slate, do  
21 your bottom up/top down, you end up with objectives in  
22 your land use planning, the mix of benefits which will  
23 be achieved in the district.

24 What effect, if any, does that have on  
25 the kinds of basic public priorities that the public



1 can voice on page 1 of this exhibit?

2 A. Yes, those would be taken into  
3 account.

4 Q. All right. Now, are they taken  
5 into --

6 A. Those would be considered.

7 Q. All right. And are they taken into  
8 account before the basic public priorities are in fact  
9 developed and given to the planning team?

10 A. Oh, excuse me. Are you referring to  
11 then in the fifth graphic relationship between public  
12 consultation components, that the local goals and  
13 targets that loop from the Minister is being plugged in  
14 in the blue box on the first?

15 Q. I'm suggesting -- yes, in one way.  
16 I'm suggesting that directions from the Minister, the  
17 mix of benefits which are identified in a land use  
18 guideline do indeed, or should get plugged into the  
19 blue box on the first page of Exhibit 2062 and they get  
20 plugged in by, in effect, those mixes of benefits  
21 sitting there and telling whoever is doing the basic  
22 public priorities and saying to you:

23 Hey, boys, the decision has been made  
24 through district land use guidelines that we're only  
25 going to have this much timber, this much fish, this

1 much wildlife, this much remote tourism, these are the  
2 areas that it's going to take place by and large, and  
3 you at the forest management unit level cannot come up  
4 with a basic public priority which is in conflict with  
5 that district land use mix of benefits?

6 A. No. What I'm --

7 MR. O'LEARY: There's more to that  
8 question.

9 MR. FREIDIN: Q. I'm saying that you  
10 shouldn't be allowed to come up with a set of basic  
11 public priorities which fly in the face of what's in a  
12 district land use guideline as I've described it. Do  
13 you agree or not, as a matter of theory?

14 MR. O'LEARY: Can I ask, Madam Chair,  
15 what the witness is being asked to agree with, the  
16 first minute or the second minute of that speech?

17 MR. FREIDIN: Q. Do you understand the  
18 question, Dr. Quinney?

19 DR. QUINNEY: A. No, sir.

20 MADAM CHAIR: I think the question is  
21 clear, certainly to me; and, that is, if we were  
22 sitting down, you and I together now in a local  
23 advisory group--

24 DR. QUINNEY: Yes.

25 MADAM CHAIR: --and we had in front of us

1 a letter from the Minister and a DLUG and it said that  
2 we can't cut timber in this area, the DLUG forbids it  
3 and the Minister has a directive is out and we're not  
4 logging in this management unit, could you and I sit  
5 down and say: Well, actually we want jobs and that's  
6 exactly what we're going to put forth as the objective  
7 of this timber management plan.

8 DR. QUINNEY: Oh no, one would -- we are  
9 not suggesting that Minister's orders would be  
10 overwritten -- sorry, overridden.

11 MADAM CHAIR: And what had been decided  
12 in the DLUG would also form the ground rule of the  
13 objectives or priorities that this committee would look  
14 at.

15 DR. QUINNEY: Mm-hmm, yes, they could.

16 MR. MARTEL: Now, you just changed it.

17 DR. QUINNEY: Oh, sorry.

18 MR. MARTEL: Because I just worry about  
19 that because, you see, it's a decision whether the DLUG  
20 prevails and you work with the objectives.

21 You might disagree with the objectives  
22 that are there and you might want to change them, but  
23 you can't change them.

24 DR. QUINNEY: You would plug them, you  
25 would plug them in where they're available. Now,

1 obviously in the DLUGS and SLUGS there are some  
2 non-timber benefits that don't have targets yet.

3 MR. MARTEL: Yes.

4 MR. FREIDIN: Q. To the extent they  
5 don't have targets, you're critical of those particular  
6 documents; is that fair?

7 DR. QUINNEY: A. Yes.

8 Q. But we shouldn't interpret OFAH's  
9 proposal as being one which is going to end up with the  
10 forest management unit decisions which can cumulatively  
11 within the district change the mix of benefits which  
12 have been decided upon in your land use planning  
13 exercise?

14 A. No, I don't believe so.

15 Q. All right. Is there an interrogatory  
16 here where you were asked whether your planning process  
17 was one which could, in fact, result in a decision by  
18 the public that there would be no timber management.  
19 Did we ask you that question?

20 MADAM CHAIR: No, you asked Panel 2 that  
21 question, Mr. Freidin.

22 MR. FREIDIN: Right. And in Panel No. 2  
23 you said, yes you could, but it probably wouldn't  
24 happen.

25 Tell you what...



1 MR. MARTEL: It's four o'clock.

2 MADAM CHAIR: Is this a good place to  
3 stop?

4 MR. FREIDIN: Well, I suppose it's as  
5 good as any. But what I will do, I will try to pull  
6 together all the documents you are going to need to  
7 deal with this and we will deal with it tomorrow.

8 I do have scoping here, I don't know  
9 whether anybody else is here.

10 MADAM CHAIR: Yes, we're going to start  
11 the scoping exercise. Would you like to explain to Dr.  
12 Quinney just briefly what the question is that you want  
13 to start with tomorrow morning.

14 MR. FREIDIN: I'm not too sure exactly  
15 what it's going to be. I want to explore and I want to  
16 confirm -- well, I mean, I don't write all my questions  
17 down.

18 MR. O'LEARY: He was just about to ask  
19 it.

20 MADAM CHAIR: I memorized that question  
21 from Panel 2 Mr. Freidin.

22 MR. MARTEL: You haven't formulated it  
23 yet.

24 MR. FREIDIN: Dr. Quinney, let's just  
25 have a little chat here - this is not question but this

1 is where I'm coming from -- when I read your planning  
2 process and I read answers to interrogatories and we  
3 start talking about social preference and you go into  
4 timber management plan at the forest management unit  
5 level and you say, tell me public what the mix of  
6 benefits are, I got the impression that the public  
7 could come along and say -- it was open to them to say,  
8 we would like -- we think the best mix of benefits on  
9 this particular forest management unit would be so much  
10 tourism, in fact they could say all tourism, no timber.

11 I mean, that's an option which is open  
12 for them, and they could decide through the planning  
13 process that that's what they thought the best mix of  
14 benefits was.

15 And I want to know, does your planning  
16 process that wide open, if it's not, what are the  
17 restrictions or constraints put on people at the forest  
18 management unit level in terms of the kind of benefits  
19 they can seek from their forest, either the kinds of  
20 benefits, the amounts of benefits or the geographical  
21 area within the forest management unit where they can  
22 attain those objectives.

23 And I'm suggesting to you that a lot of  
24 those decisions are constrained by things which are in  
25 district land use guidelines and higher levels of

1 planning than that which goes on at the forest  
2 management unit level.

3 Now, I think -- particularly I'm being  
4 fair to you and you know where I'm coming from. I  
5 really want an answer because once I have an answer to  
6 that, I can sit back and decide what I want to do in  
7 Panel No. 9.

8 So this will just be the start, Dr.  
9 Quinney.

10 MR. O'LEARY: I wonder if I just might  
11 ask whether or not Mr. Freidin was intending -- he made  
12 reference to some documents, and I wonder if he might  
13 be inclined to refer to them now so the witnesses might  
14 have a look at them tonight.

15 MR. FREIDIN: No, I don't want to refer  
16 to any documents. Dr. Quinney is familiar with the  
17 kind of documents I'm referring to, I don't intend to  
18 put to him any of the documents.

19 MR. O'LEARY: You're not intending to  
20 question him on any documents? I didn't hear you,  
21 sorry.

22 MR. FREIDIN: Well, if you're saying I  
23 should put to him a district land use guideline or a  
24 strategic land use plan, no. We've been around that  
25 route so many times. I think Dr. Quinney knows exactly

1 what I'm talking about, so I'm not going to.

2 MADAM CHAIR: Is that clear? Is the gist  
3 of Mr. Freidin's question clear to you, Dr. Quinney?

4 DR. QUINNEY: I believe so, Madam Chair.

5 MADAM CHAIR: Okay, thank you.

6 Thank you very much, gentlemen. We're  
7 finished for today and we'll be starting at nine  
8 o'clock tomorrow morning.

9 We're going to hold a brief procedural  
10 session now and you're invited to attend, but you can  
11 also go if you want. Most witnesses leave.

12 --- (Panel withdraws)

13 MADAM CHAIR: Mr. O'Leary.

14 MR. O'LEARY: Ready to proceed.

15 MADAM CHAIR: Yes. We're discussing the  
16 Coalition's Panel 6 written evidence about biodiversity  
17 and featured and other significant species management,  
18 and I understand there will be cross-examination by the  
19 Ministry of Natural Resources, Forests for Tomorrow,  
20 Mr. Lindgren?

21 MR. LINDGREN: That's correct, Madam  
22 Chair.

23 MADAM CHAIR: And the Ministry of the  
24 Environment. There will be Dr. Quinney on this panel  
25 and the Board has -- is Dr. Quinney coming back in, or



1 shall we just go ahead?

2 MR. FREIDIN: I think he's escaped.

3 MR. O'LEARY: Sorry, Madam Chair. If I  
4 can just have a moment. I did not receive a copy of  
5 the list of issues from FFT. I'm wondering if Mr.  
6 Lindgren can just give us a chance to look at them.  
7 It's probable that he sent it to the Coalition as  
8 opposed to my office.

9 MR. FREIDIN: We have an extra one.

10 MR. O'LEARY: Do you mind?

11 MR. FREIDIN: Not at all. (handed)

12 MADAM CHAIR: Hi, Dr. Quinney. You  
13 didn't have to come back for this session. We have got  
14 questions we're going to ask Mr. O'Leary to put to you,  
15 so if you want to hear them first time around then you  
16 can, but it's certainly not...

17 MR. O'LEARY: You can sit back there.

18 Madam Chair, we've now had a chance to  
19 look at FFT's. If now is an appropriate time, I just  
20 have one comment with respect to the issues raised and  
21 that is the very first one, the qualifications of Dr.  
22 Quinney to testify with respect to resource management  
23 planning.

24 I can presume that that has been dealt  
25 with as of yesterday, that it's not a matter that is

1. going to be raised again for Panel 6?

2. MADAM CHAIR: Mr. Lindgren?

3. MR. LINDGREN: I guess we have to abide  
4. by the Board's ruling on this issue.

5. MADAM CHAIR: Thank you.

6. All right. The Board is going to go  
7. through some of the questions it would like Dr. Quinney  
8. to address as he goes through his evidence-in-chief.

9. The first has to do with the discussion  
10. on pages 10 and 11 of the witness statement with  
11. respect to biodiversity being significantly reduced due  
12. to timber management activities.

13. We read the case studies behind Tab 16 in  
14. our books, and those were case studies of Atlantic  
15. Canada, and we were wondering if Dr. Quinney is going  
16. to present evidence to support his statement that there  
17. are similar reductions in stand and forest level  
18. biodiversity which have begun to occur in Ontario.

19. And with respect to old growth forests,  
20. we have MNR's evidence, or Dr. Euler's opinion that  
21. there is no emergency situation in Ontario, that there  
22. appears to be enough old growth forest, that we don't  
23. have an immediate problem with respect to it  
24. disappearing before steps can be taken to protect  
25. habitat and preserve the old forests it is necessary to

1 preserve, and we would like Dr. Quinney to address  
2 that.

3 In addition, we spoke this morning to Dr.  
4 Quinney in the Panel 4 evidence about the difference  
5 between assessing something and protecting it. And  
6 with respect to biodiversity, Dr. Quinney's evidence is  
7 about how it can be assessed in Ontario, but we want to  
8 know from him whether there are proposals within the  
9 timber management planning process that protects  
10 biodiversity and that Dr. Quinney supports.

11 And one aspect that comes to mind are  
12 provisions for threatened, rare and endangered species,  
13 and is that sort of a provision something that  
14 complements -- while biodiversity is being assessed, is  
15 that a provision that protects biodiversity even if we  
16 haven't finished assessing it, and are there other  
17 aspects of the proposed timber management planning  
18 process that provides for the protection of  
19 biodiversity and measures that Dr. Quinney would  
20 support.

21 MR. FREIDIN: Are you referring to the  
22 proposed timber management planning process put forward  
23 by the Coalition or by any of the other parties?

24 MADAM CHAIR: Well, I'm looking at your  
25 terms and conditions, Mr. Freidin.

1                   MR. FREIDIN: All right. You just said  
2                   proposed, I didn't know whether --

3                   MADAM CHAIR: I'm sorry. MNR's timber  
4                   management plan as it works now and the proposals for  
5                   what you would do in the future.

6                   Another point that we wish Dr. Quinney to  
7                   address is to give us some idea of biodiversity. Is it  
8                   different in the boreal forest versus the Great  
9                   Lakes/St. Lawrence Forest with respect to the area of  
10                  the undertaking.

11                  Is he proposing that the same assessment  
12                  process be applied to both types of forests or -- and  
13                  as we discussed earlier today as well, the boreal  
14                  forest perhaps is not as diverse as other forest types,  
15                  and are there different measures that you would want to  
16                  see with respect to the Great Lakes/St. Lawrence  
17                  Forest?

18                  And also in your written evidence, Dr.  
19                  Quinney, you refer to your proposal for protecting 10  
20                  per cent of old growth forest and a question -- well,  
21                  10 per cent of the oldest age-class, and a question  
22                  that the Board has, it's a very general one, is that we  
23                  have heard evidence from other parties about certain  
24                  percentages of the same forest they would like to see  
25                  managed in a certain way, and that has to do with --



1     ... sometimes we want parks, we have various figures of the  
2     ideal percentage of parks that we should have in the  
3     area of the undertaking, we have percentages with  
4     respect to wild rice or with respect to land claims by  
5     various Native communities.

6                   Mr. Martel and I haven't gone through the  
7     entire exercise of adding up all the percentages of the  
8     forests that various parties would like to isolate and  
9     put under different kinds of management, but we guess  
10    it probably exceeds a hundred per cent, and so I guess  
11    our question about your proposal with respect to  
12    various percentages of the oldest age-class being used  
13    as a tool to assess and protect biodiversity, I guess  
14    we're interested in exploring with you what else can be  
15    done with that particular percentage of the forest as  
16    it's put into, in some cases, a reserve or however it's  
17    going to be handled.

18                   I guess we want to know if we're talking  
19    about exclusive non-use of that 10 per cent or 50 per  
20    cent or whatever it might be for any purpose other than  
21    to be put aside to protect biodiversity.

22                   MR. MARTEL: Has anyone done a  
23    calculation on what everyone is asking for, what the  
24    bottom line is, exclusive of the Ministry for the time  
25    being, in terms of reserves around lakes, in terms of

1 12 per cent for wildlife, for old growth forests, for  
2 what OFAH is asking for, what OMAA is asking for, what  
3 Treaty 3 wants.

4 I don't know if there's anything left,  
5 and I just don't know if anybody has calculated it all  
6 yet, what it means in terms of making a decision.

7 MADAM CHAIR: Shall we move on.

8 On page 21 Dr. Quinney makes the  
9 statement that Ontario is seriously lagging behind in  
10 GIS technology. We would like to know behind whom,  
11 which jurisdiction, and in what way specifically is MNR  
12 lagging behind in its GIS technology as compared to  
13 jurisdictions presumably in Canada and the United  
14 States.

15 On page 25 in the last paragraph Dr.  
16 Quinney appears to be critical of how knowledge of new  
17 research is disseminated or is learned by the staff at  
18 the Ministry of Natural Resources, and we assume this  
19 is a criticism of the technical development unit  
20 approach and of MNR staff training programs presumably  
21 for timber management planning.

22 We notice that you refer to OFAH term and  
23 condition No. 130 as one way of improving the learning  
24 process of MNR staff, and we wondered if there was  
25 anything else you could suggest to the Board with

1     respect -- as to how we would improve the knowledge for  
2     forest ecosystem forecasting or presumably other  
3     matters by those who must do timber management  
4     planning.

5                     On page 26, Dr. Quinney refers to his  
6     wish that if COFRDA money, for example, became  
7     available that that would be invested, some part of it  
8     would be invested in certain types of analysis.

9                     Is the work you're referring to here with  
10    respect to the analyses restricted to those having to  
11    do with biodiversity and featured species and other  
12    species management; and, if so, in the likely event  
13    that MNR won't be given an infusion of large amounts of  
14    cash over the next five years from an outside source  
15    such as COFRDA at any rate, which areas of currently  
16    research and spending do you see MNR redirecting funds  
17    away from to put towards this particular work?

18                    And I guess we're asking you a very basic  
19    question: Do you see this type of work as being more  
20    important than planting trees or doing silvicultural  
21    operations of various types? How important do you  
22    think this work is vis-a-vis other programs at MNR?  
23    And I have no idea if MNR is going to get COFRDA  
24    funding or not.

25                    Page 27, is it Dr. Quinney's view that a

1 species be designated as being locally significant only  
2 if it actually exists already in a certain area, or  
3 would you designate a species as being locally  
4 significant if it couldn't be found in an area but  
5 maybe the public would like to have it there and the  
6 habitat is something that could be worked on to develop  
7 a population of species there, or is it: Under your  
8 plan would the wildlife species have to exist in an  
9 area before, or have to be proven to exist in an area  
10 before it was designated as being locally significant?

11 And finally, Dr. Quinney presents an  
12 argument as to why he believes that pine marten and the  
13 pileated woodpecker should become featured species in  
14 Ontario, and we would like Dr. Quinney's views on what  
15 he thinks is the likelihood of these two species  
16 becoming featured species in Ontario.

17 Obviously we had various discussions at  
18 the hearing about how MNR would expand its featured  
19 species management, and we have heard discussions about  
20 pine marten and the pileated woodpecker, and we wonder,  
21 in Dr. Quinney's view, if he feels that MNR is in fact  
22 moving towards doing exactly that.

23 And those are the areas in the written  
24 evidence that we would like some clarification on from  
25 Dr. Quinney.



1                   Mr. O'Leary, do you have any questions  
2                   for the three parties that will be cross-examining?

3                   MR. O'LEARY: Just one clarification and  
4                   it arises out of the MNR list of issues.

5                   At page 2 subparagraph (b) there's  
6                   reference to cross-examination about the development  
7                   and use of HSA models in jurisdictions outside Ontario  
8                   and their application in Ontario.

9                   That may be just an error and the MNR  
10                  meant to put that in the list of issues for Panel 7  
11                  which is going to be dealing specifically with habitat  
12                  supply analysis and the witnesses are coming from  
13                  outside the province.

14                  MADAM CHAIR: Did you mean to say GIS  
15                  models, Mr. Freidin?

16                  MR. FREIDIN: No, no, I think I meant to  
17                  say HSA models. I can go fast by leaving 90 per cent  
18                  of the questions or 95 per cent of the questions on HSA  
19                  to those further panels, but just as I'm asking  
20                  questions about HSA here, I'm going to be asking the  
21                  same questions on Panel 6.

22                  MR. O'LEARY: You're asking in  
23                  jurisdictions outside of Ontario, that's a little more  
24                  refined than what you're saying now.

25                  MR. FREIDIN: Well, it's only because

1       those articles, I think they're filed, some of which  
2       are by people from outside the jurisdiction, Mr.  
3       O'Leary, dealing with things in Nova Scotia and New  
4       Brunswick. I may want to ask questions about that.  
5       There won't be --

6                   MR. O'LEARY: Madam Chair, I don't want  
7       to belabour the point, I just want to make a note of  
8       the fact that it is something coming up in Panel 7 and  
9       that's I think --

10                  MADAM CHAIR: We have Mr. Freidin's  
11       commitment that he will put most of his questions on  
12       habitat supply analysis to the right panel.

13                  MR. FREIDIN: I can assure you, I haven't  
14       got one question written out or even thought about on  
15       HSA for Panel 6 yet. That goes for probably all the  
16       questions.

17                  MR. O'LEARY: I will sleep better  
18       tonight, Mr. Freidin.

19                  Other than that, that's the only comment.

20                  MADAM CHAIR: Mr. Freidin, or Mr.  
21       Lindgren, do you have any questions about this  
22       evidence?

23                  MR. LINDGREN: I hesitate to rise on this  
24       point, Madam Chair, but it is matter that I had  
25       discussed with Mr. O'Leary, that is, what do we do in

1 terms of assuring the timely disclosure of further  
2 evidence, documentary evidence being introduced through  
3 these witnesses.

4 I think it's fair to say that a fair  
5 amount of paper was entered into evidence today, paper  
6 that had not been disclosed previously.

7 In fairness to Mr. O'Leary some of the  
8 material was filed in response to scoping questions  
9 posed by the Board, but I would simply suggest that  
10 there are other articles that could have been and  
11 should have been disclosed to the parties earlier, so  
12 that we'd have an adequate opportunity to review them  
13 and perhaps put questions to the witnesses on those  
14 documents.

15 So my request to Mr. O'Leary is, if you  
16 can identify in advance what further documents you're  
17 going to be putting in as exhibits, can they be  
18 disclosed to the parties in a timely manner.

19 MR. O'LEARY: Madam Chair, I accept that  
20 as a fair request and, in fact, I made every attempt so  
21 far to do that.

22 Mr. Lindgren did speak to me just during  
23 the break about that point and my comment to him was  
24 simply this, and I warned him of this response, and  
25 I've now gone through all the documents that have been

1 filed in this case, and leaving -- I will go through  
2 them quickly.

3 One was filed in cross-examination, 2071  
4 was in response to a question put by the Board in  
5 respect of Alberta trapping, the next two documents  
6 were again updates on the model forest program which  
7 were a response to a scoping question that came up,  
8 there was one document filed which Dr. Quinney made  
9 reference to, which is 2068 which is a generally  
10 circulated document and, as I said, to Mr. Lindgren:  
11 Well, if an expert wants to refer to the specific quote  
12 that supports what he said in the witness statement,  
13 he's entitled to do that.

14 If parties only want me to file a one or  
15 two-page portion of the document, that would save the  
16 Coalition a great deal of money, but I'm afraid I'd  
17 hear complaints from other parties that the whole  
18 document should be put in evidence.

19 But there's one document, and there was  
20 one other one, Exhibit 2067 which is pretty well the  
21 same response.

22 2066 was filed at the request of scoping  
23 questions from the Board. 2065 which is the thick one,  
24 which I think he was most concerned of, was an  
25 undertaking that we gave to file during that scoping



1 session. 2064 was the short piece which is referred to  
2 in the curriculum vitae of David Neave which therefore,  
3 if the parties wanted to see, they could have got.

4 2063 is a document that came out two days before  
5 evidence, so we're down to two documents in that pile.  
6 So it's not like I created a burden for the parties,  
7 and most of them did come out during the first day.

8 So the point is well taken and we will  
9 make best efforts to see that if there's something that  
10 is going to be produced, we'll get it out in advance.

11 MADAM CHAIR: Thank you, Mr. O'Leary.

12 There have been much more spectacular offences in three  
13 and a half years of this hearing with respect to filing  
14 documents at the last minute, but we appreciate if you  
15 can do your best to give the parties some notice.

16 Thank you.

17 How about estimates for cross-examining.

18 Mr. Freidin, Panel 6?

19 MR. FREIDIN: A day.

20 MADAM CHAIR: Mr. Lindgren?

21 MR. LINDGREN: One to two hours.

22 MADAM CHAIR: Thank you. And did Ms.  
23 Seaborn say anything to you?

24 MR. PASCOE: Yes, she did. She indicated  
25 to me that she would be behalf an hour.

1 MADAM CHAIR: Thank you, Mr. Pascoe.

2 Now, tomorrow we expect that we will be  
3 finished with your panel. What time of the day do you  
4 think we will be finished, Mr. Freidin, given your best  
5 guess?

6 MR. FREIDIN: Four o'clock. I didn't get  
7 off the first page with that question.

8 MADAM CHAIR: So you expect that it will  
9 take you most of the day?

10 MR. FREIDIN: I think so.

11 MADAM CHAIR: Unless the witnesses --

12 MR. FREIDIN: Well, unless my questions  
13 are less convoluted and the witnesses give me shorter  
14 answers. I will work on mine.

15 MADAM CHAIR: We'll advise the witnesses  
16 to give short answers tomorrow.

17 MR. O'LEARY: Madam Chair, just one final  
18 point which may prove to everyone to be a nice point to  
19 close the day on, and that is, that we think that it is  
20 conceivable that we would be able to deal with both  
21 Panels 5 and 6 next week, when we've added up the time,  
22 in going through some of the evidence-in-chief, we're  
23 trying to abide by your wishes, and that is, to reduce  
24 it and keep it as succinct as possible.

25 And I mentioned it to Mr. Beram, if there

1 is any advantage in us doing that, we will make every  
2 attempt.

3 The problem we have is that the  
4 subsequent panels are such that we have individuals  
5 coming from outside the province, so we have both the  
6 cost of bringing them in at a different time and also  
7 asking them whether or not they could make it any  
8 earlier, they have commitments which they can't get  
9 around.

10 MADAM CHAIR: So we're talking about Mr.  
11 Krochak coming in from --

12 MR. O'LEARY: He will be here on Monday.

13 MADAM CHAIR: Saskatchewan.

14 MR. O'LEARY: Yes.

15 MADAM CHAIR: He'll be here on Monday.

16 MR. O'LEARY: And then we have Dr.

17 Quinney up next and if we were done with --

18 MR. MARTEL: Krochak is how long? I  
19 mean, has anyone done the calculation. You mean you  
20 would start next week, you wouldn't complete both next  
21 week?

22 MR. O'LEARY: Well, that's possible, if  
23 we used all four days and evidence-in-chief, we're  
24 talking about two individual one-member panels.

25 If we made best efforts to limit our

1 evidence-in-chief, my question is simply: Would it be  
2 of any assistance to the Board to have what would  
3 amount to a free week, because I don't think we can in  
4 any way move up the balance of the panels.

5 If that's helpful, we will make best  
6 efforts; if not, we could leave it as it is and we'd  
7 have probably two shorter weeks than we've had over the  
8 last three.

9 MADAM CHAIR: Mr. Freidin?

10 MR. FREIDIN: Can I just indicate what my  
11 preference is?

12 MADAM CHAIR: Go ahead.

13 MR. FREIDIN: It's, to put it quite  
14 bluntly, a hell of a job to keep up and I worked out a  
15 schedule whereby I'm counting on at least the end of  
16 every week I have a weekend to prepare for the next  
17 panel. If we start bunching up panels, I have to start  
18 cross-examining, I'm in trouble. So...

19 MADAM CHAIR: Well, the likelihood of  
20 getting to cross-examination of Dr. Quinney at the end  
21 of next week I don't think is very promising, unless  
22 Mr. Krochak's evidence gets in a lot faster than it has  
23 been on the panel so far.

24 Unless cross-examination is much shorter  
25 than we thought, what we would realistically have is



1 Thursday to get in the first day of Dr. Quinney's  
2 evidence-in-chief.

3 MR. O'LEARY: I would think there's a  
4 good possibility that we might get to Dr. Quinney on  
5 Wednesday.

6 MR. FREIDIN: Well, if I have a problem  
7 in terms of not being fully prepared, I'll ask for the  
8 Board's leave at that time.

9 MR. MARTEL: Well, I'm just going back to  
10 your own figures.

11 MR. O'LEARY: No, and that's why I'm  
12 advising you. I think we're revising that down, we  
13 will be less than the day and a half and, you know, if  
14 Mr. Freidin is going to live by his undertaking during  
15 the first week that his cross-examination will be no  
16 longer than my examination-in-chief, then we will be  
17 done by Tuesday.

18 MADAM CHAIR: Well --

19 MR. O'LEARY: That's on the record.

20 MADAM CHAIR: Well, certainly the Board  
21 appreciates any way we can speed up the process and we  
22 sit -- we're here and we're happy and we certainly  
23 encourage you to get your evidence in as quickly as you  
24 can, and we always encourage the parties to  
25 cross-examine quickly.

1                   And so it would be our preference that,  
2           yes, we would start Dr. Quinney as soon as possible  
3           following Mr. Krochak.

4                   Thank you. See you tomorrow at nine  
5           o'clock.

6  
7           ---Whereupon the hearing was adjourned at 4:35 p.m.,  
8           to be reconvened on Wednesday, January 29th, 1992  
9           commencing at 9:00 a.m.

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25           BD [C. copyright 1985].











